

production industries will be located therein.

EXTENSION OF REMARKS

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent that I may have permission to extend my own remarks in the RECORD, and to include a transcription of a "Buy a Bomber" campaign at Chattanooga.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2404. An act to authorize officers and enlisted men of the armed forces of the United States to accept decorations, orders, medals, and emblems tendered them by governments of belligerent nations or other American republics and to create the decorations to be known as the Legion of Merit and the Medal for Merit; to the Committee on Military Affairs.

ADJOURNMENT

Mr. BEITER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 46 minutes p. m.) the House adjourned to meet, in accordance with its previous order, on Monday, May 4, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE JUDICIARY

Subcommittee No. 3 of the Committee on the Judiciary will continue hearings on the following bills at 10 a. m., Friday, May 1, 1942, room 346, House Office Building:

H. R. 5218, to confer jurisdiction in the United States courts in cases involving work stoppages, and for other purposes;

H. R. 5259 and H. R. 6752, to confer jurisdiction in the United States courts in cases involving work stoppage for illegitimate and nonlabor purposes; and

H. R. 6872, to amend the act entitled "An act to protect trade and commerce against interference by violence, threats, coercion, or intimidation," approved June 18, 1934.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

The petroleum investigating subcommittee of the Committee on Interstate and Foreign Commerce will hold a meeting at 10 a. m. on Monday, May 4, 1942, in connection with the investigation of petroleum.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, May 5, 1942.

Business to be considered: The hearing in connection with the Federal Communications Commission will be resumed on May 5 at 10 a. m.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Tuesday, May 5, 1942, at 10 a. m., on Senate Joint Resolution 130, to

extend and amend certain emergency laws relating to the merchant marine, and for other purposes.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 4248. A bill for the relief of Helen Mary Nichols; without amendment (Rept. No. 2063). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 4249. A bill for the relief of William Frank Coman Nichols; with amendment (Rept. No. 2064). Referred to the Committee of the Whole House.

Mr. RAMSAY: Committee on Immigration and Naturalization. H. R. 5819. A bill directing the Attorney General to record the lawful admittance for permanent residence of Vivian Chang; with amendment (Rept. No. 2065). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SPARKMAN:

H. R. 7029. A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940 to extend the relief and benefits provided therein to certain persons, to include certain additional proceedings and transactions therein, to provide further relief for persons in military service, to change certain insurance provisions thereof, and for other purposes; to the Committee on Military Affairs.

By Mr. THILL:

H. Con. Res. 64. Concurrent resolution urging the Civil Aeronautics Authority immediately to institute an aircraft pilot and mechanics training program in high schools; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H. R. 7030. A bill for the relief of Mrs. Mary Daufkirch; to the Committee on Claims.

H. R. 7031. A bill for the relief of Acting First Sgt. David Schlesinger; to the Committee on Military Affairs.

By Mr. JONES:

H. R. 7032. A bill for the relief of the Custer Lumber Co.; to the Committee on Claims.

By Mr. McGEHEE:

H. R. 7033. A bill for the relief of certain trial examiners of the National Labor Relations Board; to the Committee on Claims.

By Mr. NICHOLS:

H. R. 7034. A bill for the relief of Roy Chandler; to the Committee on Military Affairs.

By Mr. WHELCHER:

H. R. 7035. A bill for the relief of Garland Galley, of Baldwin, Ga., and Mrs. Clara Mae Galley, of Baldwin, Ga.; to the Committee on Claims.

By Mrs. ROGERS of Massachusetts:

H. J. Res. 309. Joint resolution tendering the thanks of the American people and the Congress of the United States to Capt. Maude Davison and the other members of the United States Army Nurse Corps in the Philippines; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2742. By Mr. JONES: Petition of Dora A. States and 158 others, in support of Senate bill 860 as a contribution to a wholesale defense program; to the Committee on Military Affairs.

2743. By Mr. ROLPH: resolution of the California Society of the Sons of the American Revolution, San Francisco, Calif., relative to the California State Guard; to the Committee on Military Affairs.

SENATE

FRIDAY, MAY 1, 1942

(Legislative day of Thursday, April 30, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, the Very Reverend Z. Barney T. Phillips, D. D., offered the following prayer:

Almighty God, of whom are all things and for whom all things exist, teach us to be as children in our Father's house, where we are thankful for every gift of Thy bestowal. We thank Thee for the glow of battle when we fight to win; for the glow of satisfaction as we worthily attain our goal; for the bliss that comes from doing always that which should be done, no matter what the difficulties, and, finally, we bless Thee for the joy that comes to us when we share our best for others' good.

May we ne'er be exercised with the mere question of what we shall eat or drink, or wherewithal we shall be clothed, but let this mind be in us to be rid of all selfishness and pride, that, with clean hands and pure hearts, we may do our work.

Make us glad with that summer in the heart which faith creates and love sustains; give us the gladness of Christ, who, despite His short and troubled life, was nonetheless the happiest of men, whose joy overflowed on everyone with whom He came in contact. Open Thou to us the vision of a kingdom not from hence, regions of power beyond the range of ordinary sight; inspire us with those far-off influences that give new meaning to our Nation's cause and lend new beauty to each act of consecration to that cause. We ask it in the Name of Jesus Christ, our Lord and Saviour. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, April 30, 1942, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Glass	O'Mahoney
Andrews	Green	Pepper
Austin	Gurney	Radcliffe
Bailey	Hayden	Reed
Ball	Herring	Reynolds
Bankhead	Hill	Rosier
Barbour	Holman	Russell
Barkley	Hughes	Schwartz
Elbo	Johnson, Calif.	Shipstead
Bone	Johnson, Colo.	Smathers
Brewster	Kligore	Smith
Bulow	La Follette	Spencer
Bunker	Lee	Stewart
Butler	Lucas	Taft
Byrd	McCarran	Thomas, Idaho
Capper	McFarland	Thomas, Okla.
Caraway	McKellar	Tunnell
Chandler	McNary	Tydings
Chavez	Maloney	Vandenberg
Clark, Idaho	Maybank	Van Nuys
Clark, Mo.	Mead	Wagner
Danaher	Millikin	Wallgren
Downey	Murdock	Walsh
Doxey	Murray	Wheeler
Ellender	Norris	Wiley
Gerry	Nye	Willis
Gillette	O'Daniel	

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] and the Senator from Louisiana [Mr. OVERTON] are absent from the Senate because of illness.

The Senator from Utah [Mr. THOMAS] is absent because of a death in his family.

The Senator from Texas [Mr. CONNALLY], the Senator from Georgia [Mr. GEORGE], the Senator from Pennsylvania [Mr. GUFFEY], and the Senator from Missouri [Mr. TRUMAN] are necessarily absent.

The Senator from Michigan [Mr. BROWN] is a member of the Board of Visitors to the Coast Guard Academy at New London, Conn., and is therefore necessarily absent.

Mr. AUSTIN. The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Ohio [Mr. BURTON] is necessarily absent on official business as a member of the Board of Visitors to the Coast Guard Academy.

The Senator from North Dakota [Mr. LANGER] and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The VICE PRESIDENT. Eighty Senators have answered to their names. A quorum is present.

FELICITATIONS TO THE CHAPLAIN OF THE SENATE ON HIS BIRTHDAY ANNIVERSARY

Mr. GLASS. Mr. President, as one of the elderly Members of the Senate, it affords me pleasure to move that the Senate extend its cordial felicitations to Dr. Phillips, our beloved Chaplain, on this day, which marks the anniversary of his birth and another milestone in his distinguished career of service to his fellow-man.

Mr. McKELLAR. Mr. President, I heartily second the motion.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Virginia [Mr. GLASS].

The motion was unanimously agreed to.

SUPPLEMENTAL ESTIMATE, ETC., DEPARTMENT OF AGRICULTURE (S. DOC. NO. 202)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Agriculture, fiscal year 1943, in the amount of \$14,773,000, and an authorization directing the Reconstruction Finance Corporation to advance an additional \$105,500,000 to the Department of Agriculture in the form of an amendment to the Budget for the fiscal year ending June 30, 1943, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MEMORIAL OF THE LEGISLATURE OF NEW YORK

The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of the State of New York, which was referred to the Committee on Commerce, as follows:

STATE OF NEW YORK, IN SENATE,
Albany, April 20, 1942.

Whereas there has been introduced in the Congress of the United States H. R. 6886, a bill to provide for tolls with respect to the use, for commercial navigation, of the improved inland waterways of the United States, for the purpose of reimbursing the United States for expenditures made in improving such waterways; and

Whereas the term "improved inland waterways" means, according to the bill, any inland or coastal canal and any natural waterway (except the Great Lakes) in the United States, wholly or partly constructed or improved with moneys appropriated by the Government of the United States, excepting any improved inland waterway forming a boundary between the United States and any foreign country; and

Whereas the State of New York constructed the Erie and Oswego Canals at a cost of approximately \$230,000,000, and spends approximately \$3,500,000 per annum of State moneys for their maintenance. These waterways have been toll free for more than two generations, and agriculture, labor, and industry have vigorously and successfully opposed the imposition of tolls on them; and

Whereas the necessities of war are demonstrating the great value of our inland waterways to the entire Nation. The demand for war equipment requires the maximum production by the many great plants located on, or adjacent to, inland waterways. Transportation is the key to the problem of delivering war supplies to military reservations, depots, and embarkation ports; and

Whereas the imposition of tolls, as proposed in H. R. 6886, would not apply to the Great Lakes or to ocean harbors or to the St. Lawrence River, thus creating a definite discrimination against other waterways, and thereby placing producers and consumers, served by such other waterways, under a very great disadvantage; and

Whereas the imposition of tolls on inland waterways would not help in the solution of national problems of industrial depression, domestic and foreign trade barriers, and widespread unemployment. It would not promote the use of existing facilities and develop the potentialities of these services in the solution of one of our major economic problems; namely, the transportation of the products of the farm and the factory to the consumer in the city and the country, or to ocean ports for export; and

Whereas low-cost transportation is vital to the well-being and life of the American people. Our distances are so great that the transportation problem will always be paramount. Low-cost water transportation shortens the distance between the farm and the market, and between the source of raw material and the factory; and

Whereas H. R. 6886 would nullify the natural economic advantage of inland water transportation and deprive the public of the savings in transportation that are passed on to the consumer in reduced costs of living; and

Whereas Government agencies established and maintained for the purpose of promoting the welfare of agriculture, industry, and labor, including the Departments of Agriculture, Navy, and War, and the Maritime Commission, have publicly gone on record to the effect that any increase in inland water transportation costs is unnecessary and unwise and would prove harmful to agriculture, industry, and labor; and, therefore, be it

Resolved (if the assembly concur), That the Legislature of the State of New York hereby affirms its opposition to H. R. 6886, and to the imposition of tolls on the canal system of the State of New York as well as the inland waterways of the United States, with respect to their use for commercial navigation; and, therefore, be it

Resolved (if the assembly concur), That it is the sense of the people of the State of New York, manifested by the considered judgment of their elected representatives in the legislature, that the imposition of Federal tolls on the New York State canals and inland waterways of the United States would operate against the present war effort, and be it further

Resolved (if the assembly concur), That the clerk of the senate be directed to transmit a copy of this resolution to the secretary of the United States Senate and the Clerk of the House of Representatives.

By order of the senate,

WILLIAM S. KING,

Clerk.

In assembly, April 24, 1942. Concurred in without amendment.

By order of the assembly.

ANSLEY B. BORKOWSKI,

Clerk.

PROHIBITION OF LIQUOR SALES AROUND MILITARY CAMPS—PETITION

Mr. CAPPER. Mr. President, I ask consent to present a petition signed by some 180 members and friends of the First Baptist Church, of Augusta, Kans., praying for the enactment of Senate bill 860, to prohibit the sale of liquor in or around our Army and Navy training camps. This petition has my wholehearted approval, and I trust the Senate may take favorable action on the measure in the near future. I ask that the petition may be properly referred and printed in the RECORD, without all the signatures attached thereto.

There being no objection, the petition was ordered to lie on the table and to be printed in the RECORD without all the signatures attached, as follows:

We, the undersigned, wish to express our sincere approval of the Sheppard bill, which is to prohibit the sale of liquor in or around our Army and Navy training camps. We therefore urge you to lend all your force and influence for its passage.

REV. R. R. SHIRE,

MRS. H. D. WOOD,

(And sundry other citizens of Augusta, Kans.)

SUPPRESSION OF VICE AND LIQUOR TRAFFIC AROUND MILITARY CAMPS

Mr. REYNOLDS. Mr. President, I desire to bring to the attention of the Members of this body a letter received by me from the Reverend W. W. Beasley, of Southampton County, Va. The letter is addressed to me as chairman of the Senate Committee on Military Affairs. I shall read to the Senate the gist of the letter, as follows:

The matter of giving our county boys and every boy now in the armed forces of our country proper protection from the encroaching liquor and vice traffics was recently presented to a large group of citizens assembled in the Courtland Methodist Church, Southampton County. It went on record overwhelmingly in favor of the passage by Congress of Senate bill 860 or of legislation similar to that of 1917 for the protection of the armed forces of our country from the liquor and vice traffics.

The Reverend Mr. Beasley asked me to bring the action of the congregation of the Courtland Methodist Church, of Southampton County, Va., to the attention of the Senate at this time, and therefore I am glad to comply with his request.

REPORT OF THE COMMITTEE ON BANKING AND CURRENCY

Mr. RADCLIFFE, from the Committee on Banking and Currency, to which was referred the bill (H. R. 6927) to amend the National Housing Act, and for other purposes, reported it with amendments and submitted a report (No. 1300) thereon.

INVESTIGATION OF TELEGRAPH INDUSTRY—LIMIT OF EXPENDITURES

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably without amendment Senate Resolution 236 and ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection?

There being no objection, the resolution (S. Res. 236) submitted by Mr. McFarland (For Mr. WHEELER) on April 9, 1942, was considered and agreed to, as follows:

Resolved, That the Committee on Interstate Commerce, authorized by Senate Resolution 95 of the first session of the Seventy-sixth Congress and Senate Resolution 268 of the third session of the Seventy-sixth Congress, to investigate the telegraph industry is hereby authorized to expend from the contingent fund of the Senate, to complete the investigation authorized by the above-mentioned resolutions, \$2,500 in addition to the amount heretofore authorized for said purposes.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHIPSTEAD:

S. 2504. A bill for the relief of the estate of Marlin Croft, deceased; to the Committee on Claims.

By Mr. McCARRAN:

S. 2505. A bill to amend sections 23-701 and 23-702 of title 23, chapter 7, of the District of Columbia Code, 1940 edition; to the Committee on the District of Columbia.

HAROLD SINGER

Mr. McNARY submitted the following resolution (S. Res. 242), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Harold Singer, son of Joseph F. Singer, late an employee of the Senate under supervision of the Sergeant at Arms, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

LAWRENCE BRIZENDINE

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1899) for the relief of Lawrence Brizendine, which was on page 1, line 6, to strike out "\$3,260" and insert "\$2,060."

Mr. McNARY. I move that the Senate concur in the House amendment.

The motion was agreed to.

E. P. CORLEY

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 4092) for the relief of E. P. Corley, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ELLENDER. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BROWN, Mr. ROSIER, and Mr. CAPPER conferees on the part of the Senate.

ESTATE OF ROMANO EMILIANI

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 5295) for the relief of the estate of Romano Emiliani, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ELLENDER. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BROWN, Mr. ELLENDER, and Mr. CAPPER conferees on the part of the Senate.

ALVIRA MANFREDI

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 5845) for the relief of Alvira Manfredi, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ELLENDER. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BROWN, Mr. HUGHES, and Mr. CAPPER conferees on the part of the Senate.

BOARD OF VISITORS TO THE MILITARY ACADEMY

Mr. REYNOLDS. Mr. President, I announce that, by virtue of the authority vested in me by the act approved May 17, 1928, I have appointed the Senator from Colorado [Mr. JOHNSON], the Senator from Oklahoma [Mr. LEE], the Senator from Montana [Mr. MURRAY], the Senator from Oregon [Mr. HOLMAN], and the Senator from Idaho [Mr. THOMAS] members of the Board of Visitors to the United States Military Academy from the Senate Committee on Military Affairs for the second session, Seventy-seventh Congress.

SUMMARY OF MAJOR LEGISLATION, AND OF FEDERAL COURT DECISIONS ON ITS CONSTITUTIONALITY DURING FIRST SESSION OF THE SEVENTY-SEVENTH CONGRESS (S. DOC. NO. 203)

Mr. BARKLEY. Mr. President, there is in existence Senate Document No. 49 of the Seventy-seventh Congress, covering legislation and decisions for the years 1933 to 1940, inclusive. I have in my hand a supplement to that containing a list of the major legislation for the first session of the Seventy-seventh Congress, which is supplementary, prepared up to January 1942. This compilation is strictly a supplement to Senate Document 49 of the Seventy-seventh Congress, and follows in every particular the plan of that document. In the description of the acts to be included the attempt has been made to include all 1941 amendments, however trifling, to acts listed in the document, as well as all important new legislation of the first session of the Seventy-seventh Congress.

In listing decisions as to constitutionality, the general rule has been to ignore cases in lower courts which merely follow the principles laid down by higher courts.

I ask unanimous consent that this supplement be published as a Senate document for the information of the Senate and of the country, and for distribution under the rules governing such documents.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

SUBVERSIVE ACTIVITIES—EDITORIAL FROM THE PORTLAND OREGONIAN

Mr. HOLMAN. Mr. President, I have a brief editorial from the Oregonian, a newspaper published in Portland, Oreg., which presents clearly an idea which is so pertinent to the current thought among many good citizens that I request unanimous consent to have it printed in the body of the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OUT WITH THE COCKROACHES

Attorney General Francis Biddle announces that several thousand cases involving alleged

subversive activities among Government employees—mostly, it is assumed, in the National Capital—have been reported to his office by the Federal Bureau of Investigation. Where there is so much smoke there is bound to be considerable fire. Let us see what is smoldering. The Attorney General proposes to appoint an interdepartmental committee to review each case on its merits, thus expediting an inquiry and action that should long ago have been taken. But it does seem that the Dies committee was right in large part.

On the one hand have been the Dies committee and a resentful public; on the other, the radicals themselves, and the apologists for radicals, and even to some extent the administration. Such a condition of affairs is as bad for national unity as it is suggestive of worse to come. We, the people, have the right to demand that subversive influences be not kept on the public pay roll and pampered. There should be no shelter under the wing of the eagle for such dubious ruff-raff.

Then, too, it is probable that among those who are suspect are some who have been falsely accused. They are entitled to clean bills of health. Housecleaning might better have been done at an earlier time—but better late than never. Away with the cockroaches.

CONDUCT OF MILITARY OPERATIONS— QUOTATION FROM LIVY

Mr. LUCAS. Mr. President, human nature has not changed very much in the last 2,000 years. I desire to read into the RECORD at this point a short excerpt from Livy, book XLIV, chapter 22, as follows:

IN WHICH LUCIUS SAYS SOMETHING

Lucius Aemilius Paulus, a Roman consul, who had been selected to conduct the war with the Macedonians, B. C. 168, went out from the Senate house into the assembly of the people and addressed them as follows:

"In every circle, and truly, at every table, there are people who lead armies into Macedonia; who know where the camp ought to be placed; what posts ought to be occupied by troops; when and through what pass Macedonia should be entered; where magazines should be formed; how provisions should be conveyed by land and sea; and when it is proper to engage the enemy, when to lie quiet. And they not only determine what is best to be done, but if anything is done in any other manner than what they have pointed out, they arraign the consul as if he were on trial. These are great impediments to those who have the management of affairs; for everyone cannot encounter injurious reports with the same constancy and firmness of mind as Fabius did, who chose to let his own authority be diminished through the folly of the people rather than to mismanage the public business with a high reputation. I am not one of those who think that the commanders ought never to receive advice; on the contrary, I deem that man more proud than wise who did everything of his own single judgment. What then is my opinion? That commanders should be counseled, chiefly, by persons of known talent; by those, especially, who are skilled in the art of war, and who have been taught by experience; and next, by those who are present at the scene of action, who see the country, who see the enemy, who see the advantages that occasions offer, and who, embarked, as it were, in the same ship, are sharers of the danger. If therefore anyone thinks himself qualified to give advice respecting the war which I am to conduct, which may prove advantageous to the public, let him not refuse his assistance to the state, but let him come with me into Macedonia. He will be furnished by me with a ship, a horse, a tent; and even with his traveling charges. But if he thinks this too much trouble and prefers the repose of a city life

to the toils of war, let him not, on land, assume the office of a pilot. The city in itself furnishes abundance of topics for conversation; let it confine its passion for talking to those topics and rest assured that we shall confine ourselves to our military councils.

UNION SECURITY

Mr. WAGNER. Mr. President, in recent weeks the issue of union security or the so-called maintenance-of-membership clause has come to the forefront of discussion. To foster a better understanding of the issue, I call to the attention of the Senate the following:

First. Unanimous statement of the War Labor Board, dated April 22, 1942, responding to the speech of William P. Withrow, president of the National Association of Manufacturers.

Second. Majority, concurring, and minority decisions of the War Labor Board in the important Federal Shipbuilding & Dry Dock Co. case.

Third. Article by Ernest K. Lindley entitled "Freezing Union Membership" appearing in this morning's Washington Post.

I ask unanimous consent to have these items printed in the RECORD as part of my remarks.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

NATIONAL WAR LABOR BOARD, April 22, 1942.

William H. Davis, Chairman of the National War Labor Board, today issued the following statement with the unanimous approval of the members of the Board. Those members of the Board voting approval of the statement in addition to Mr. Davis were George W. Taylor, Frank P. Graham, and Wayne L. Morse, representing the public; Roger D. Lapham, Walter Teagle, E. J. McMillan, and H. B. Horton, representing employers; Thomas Kennedy, R. J. Thomas, Emil Rieve, and Martin P. Durkin, representing labor.

"In a joint statement issued yesterday, William Green, president, American Federation of Labor, and Philip Murray, president, Congress of Industrial Organizations, took the position that the industry-labor agreement which provides for no strikes and no lock-outs contained the provision that all labor disputes, including those involving issues of union security, were to be finally determined by the War Labor Board, and that the industry representatives in the industry-labor conference accepted that arrangement. That position is correct. At the conclusion of that conference both industry and labor committed themselves to a peaceful settlement of all disputes by a War Labor Board to be established by the President.

"In a speech in New York last night William P. Withrow, president of the National Association of Manufacturers, is reported to have said that the question of union security was not included in that commitment. Any such statement runs counter to the pledge signed by Mr. Withrow and the other 11 industry members of the conference. The opening sentence of that pledge reads as follows:

"The employer members of the conference accept the President's direction for peaceful settlement of disputes and the establishment of a War Labor Board."

"The industry members of the conference went on to point out that they believed that 'in determining the procedure of the Board, consideration should be given' by the Board to industry's suggestion that union security disputes were not a proper subject for final determination by the Board.

"The Executive order of January 12, 1942, establishing the War Labor Board provided * * * that for the duration of the

war there shall be no strikes or lock-outs, and that all labor disputes shall be settled by peaceful means, and that a National War Labor Board be established for the peaceful adjustment of such disputes'; and 'After it takes jurisdiction, the Board shall finally determine the dispute, and for this purpose may use mediation, voluntary arbitration, or arbitration under rules established by the Board.'

"The question whether such disputes were within the jurisdiction of the War Labor Board was raised last month by the Inland Steel Co. The Board unanimously disposed of this question of jurisdiction by a resolution which read in part as follows:

"This Board has jurisdiction to consider all labor disputes which might interrupt work which contributes to the effective prosecution of the war, including labor disputes as to union status such as the one raised in this particular case."

"In such consideration, each member of the Board reserves the right, of course, to vote upon the merits of particular cases according to his convictions."

NATIONAL WAR LABOR BOARD, April 24, 1942.

IN THE MATTER OF FEDERAL SHIPBUILDING & DRY DOCK CO. AND INDUSTRIAL UNION OF MARINE & SHIPBUILDING WORKERS OF AMERICA, LOCAL 16, CONGRESS OF INDUSTRIAL ORGANIZATIONS

DIRECTIVE ORDER

It is the directive order of the National War Labor Board that the following article be included in the contract between the Federal Shipbuilding & Dry Dock Co. and the Industrial Union of Marine & Shipbuilding Workers of America, Local 16, Congress of Industrial Organizations:

1. In view of the joint responsibility of the company and the union to maintain maximum production during the present emergency and of their reciprocal guarantees that there shall be no strikes or lock-outs for a period of 2 years from June 23, 1941, as set out in the Atlantic coast zone standards agreement incorporated herein and made a part hereof, there is an obligation upon each employee who is now a member of the union or who hereafter voluntarily becomes a member to maintain his membership in the union in good standing during the life of this agreement.

2. If any member is certified by the union not to be in good standing as defined in section 3 of this article, the case may be treated by the company as a grievance and submitted to the grievance machinery. If through this process such employee is declared not to be in good standing the arbiter shall discharge the employee unless as a condition of continued employment the employee agrees to request the company, in writing, to deduct from his pay his financial obligations to the union. In any cases in which the company is so requested to make deductions the company will deduct from the first pay period of each month during the term of this contract and pay to the union a sum equivalent to the union dues, and also if any fine is imposed upon the employee a sum equivalent to that fine.

3. In order to maintain good standing in the union for the purposes of article 2 above, an employee shall be required to pay only the regular monthly dues or fines and comply with any other penalties that may be imposed upon him by the union for specific acts involving the violation of any of the terms and conditions of this agreement, or violation of any of the terms or conditions of the constitution or bylaws of the union.

4. Immediately after the signing of this agreement the union shall furnish to the company and to this Board a notarized list of those members in good standing as of that date. If any employee named on the list asserts that he has withdrawn from member-

ship in the union, or if the company disputes the accuracy of the list, the assertion or dispute shall be adjudicated by an arbiter appointed by the National War Labor Board whose decision shall be final and binding upon the union, the company, and the employee.

NATIONAL WAR LABOR BOARD,
April 24, 1942.

IN THE MATTER OF FEDERAL SHIPBUILDING & DRYDOCK CO., KEARNY, N. J., AND INDUSTRIAL UNION OF MARINE AND SHIPBUILDING WORKERS OF AMERICA, LOCAL 16, CONGRESS OF INDUSTRIAL ORGANIZATIONS

OPINION

This case came to the National War Labor Board because of the long defiance of the Government of the United States by the Federal Shipbuilding & Drydock Co., a wholly owned subsidiary of the United States Steel Corporation. It is high time that in the midst of a world war involving the future of America and the future of freedom, a dispute in a plant building most essential ships for America and for freedom be settled without further delay.

At the outset of the now 10-months-old dispute, the union based its demand for the union shop on the need for a stable union and continuous industrial production. The company based its demand for the open shop on the protection of the individual liberty of its employees. The National War Labor Board, after a careful examination of the facts, and after balancing the claims and equities in the case, accepted its responsibility under the President's Executive order to settle this dispute, and issues today the directive order for its final determination.

NO ABSOLUTE REQUIREMENT FOR DISCHARGE

In the interest of more stable membership in the union, of more responsible and co-operative relations for maximum war production, and on account of the special circumstances and equities in the long-standing dispute between the company and the union, the National War Labor Board, by a vote of 8 to 4, decided in favor of a provision in the contract for the maintenance of membership in good standing in the union. This is essentially a reaffirmation of the recommendation made July 26, 1941, by the National Defense Mediation Board.

The freedom of choice of the individual worker is protected by a provision already in the contract against any coercion of a worker into membership in the union. In addition, the individual's right to work is safeguarded by a clause in the Board's order. Under this clause, a member of the union may withdraw from the union by not maintaining his membership in good standing. In such case, he must, as a condition of employment, continue to pay his financial obligations to the union for the duration of the contract, which has little more than a year to run. A member of a club has no more freedom and no lighter obligation. No member of the union need ever be discharged under this provision, except by his own choice.

NO REQUIREMENT THAT ANY EMPLOYEE JOIN THIS UNION AT ANY TIME

The maintenance of membership clause does not require any worker, at any time, to join the union. It does not require the company to employ only members of the union and is, therefore, not a closed shop. It does not require the employees who have been hired by the company, to join the union, and is, therefore, not a union shop. It does not require the company to give preference in hiring to members of the union, and is, therefore, not a preferential union shop. It does not require any old employee, any new employee, or any employee whatever to join the union at any time.

The maintenance of membership clause requires only that any employee who is a member of good standing, at the time the con-

tract is signed, or who thereafter voluntarily joins the union, shall remain a member in good standing. This he is required to do as part of his obligation to keep the provisions of the contract made by the union with the company on his behalf. Every employee who, since the original recommendation of July 26, 1941, has chosen to remain a member in good standing, or who has since joined the union, has had full knowledge of this provision and has thus made the choice voluntarily to maintain his membership. Any others have already resigned.

THE POSITION OF CHIEF JUSTICE STACY AND THE OTHER SIX PUBLIC MEMBERS OF THE NATIONAL DEFENSE MEDIATION BOARD

Chief Justice Walter P. Stacy, spokesman for the panel majority which made the original recommendation, rejected the demand of the union for a union shop. He did this in the face of almost universal closed shops in the shipbuilding industry on the Pacific coast and a union shop negotiated by the same union in the Camden, N. J., plant of another large shipbuilding company. He held that, in view of the fact that the union was giving up the right to strike for 2 years and the right to any general wage increases except automatic adjustments for 2 years, at the request of the Government, a maintenance of membership provision was a just compensation and a reasonable protection.

It is noteworthy that all the seven public members of the former National Defense Mediation Board supported Chief Justice Stacy in this position.

THE UNION'S EQUITIES IN THIS CASE

The circumstances and equities of the case are even more compelling now than when they moved Chief Justice Stacy and the six other public members of the National Defense Mediation Board to favor a maintenance-of-membership clause in this case.

When the United States Steel Corporation refused to comply with the recommendation of the National Defense Mediation Board, the shipyard was taken over by the Government. At that time the Government assured the union that the maintenance-of-membership clause would be in effect unless the shipyard should be converted into a Government shipyard. The Kearny shipyard was not converted into a navy yard. The clause was, as a matter of equity, in effect even though unenforced by the Navy Department. However, procedure for its enforcement was at last in process on the eve of Pearl Harbor.

During all this time of uncertainty there was trouble with the newly organized local independent union, there was an increase in the number of grievances, and there was consequently a relative loss in the number of members in the union in good standing, bearing out Chief Justice Stacy's conclusion that in all the circumstances this union needed the protection of the maintenance-of-membership clause.

When the war came American labor and American management made a national agreement with the Government against strikes and lock-outs for the duration of the war. In view of this agreement for continued production, the Navy Department turned the yard back to the company with the understanding that any unsettled labor dispute would be referred to the War Labor Board.

The Government of the United States is under a moral and equitable compulsion not to take advantage of the national agreement which has disarmed this union of its only weapon. It is under the same compulsion not to allow the most powerful corporation in the world to take advantage of this covenant of honor and this covenant for maximum war production.

The leaders and members of this union have long stood at the forefront of all-out aid to the democracies and all-out war production. Their patriotic zeal for their country's cause and their cooperation with the production program, regardless of their fail-

ure to receive a contract clause assured them by their Government, must certainly be counted among the equities of their case.

THE VALUES OF MAINTENANCE OF MEMBERSHIP BY WORKERS WHO HAVE VOLUNTARILY JOINED THE UNION

The case for maintenance of membership is based not only on the equities in this case, but also on its value to the Nation. The experience of the War Labor Board has shown how strong, responsible union leadership can keep production rolling. History affords no parallel to the success of this voluntary agreement between labor, management, and the Government. In the first 3 months of 1942 less than six one-hundredths of 1 percent of all the time worked in war production has been lost by strikes.

Mainly responsible for this amazing record are the labor leaders of America who courageously stand guard day and night over the keeping of this agreement. The few leaders who have failed their country in a few situations serve to emphasize the overwhelming number of those who settle, stop, and prevent strikes at their first threat.

A great deal of the credit for this record goes to the patriotism of the rank and file of the workers themselves and to the discipline and stability of their local unions. There is a basic relation between maintenance of membership, maintenance of the contract, and maintenance of production.

An increasing number of companies recognize certain values in the maintenance of membership clause. These managers hold some such views as these:

A stable, responsible union is better for management than an unstable, irresponsible union. An unstable membership contributes to an irresponsible leadership. Too often members of unions do not maintain their membership because they resent the discipline of a responsible leadership. A rival but less responsible leadership feels the pull of the temptation to obtain and maintain leadership by relaxing discipline, by refusing to cooperate with the company, and sometimes by unfair and demagogic agitation and attacks on the company. It is to the interest of management, these business leaders have found, to cooperate with the unions for the maintenance of a more stable, responsible leadership.

Union leaders sign a contract for all the members and are responsible to both the union and the company for the maintenance of this contract. For this reason they feel that the company and the union should cooperate in the maintenance of this responsible membership. Holding the membership, they argue, is essential to holding the membership to the contract. Cooperation between the company and the union for the maintenance of membership can make for the co-operative maintenance of production on higher levels.

In the North American Aviation plant, the outright maintenance of membership clause has facilitated responsible industrial relations and promoted increased production. A survey of the northwest lumber industries indicates that the maintenance of membership clause has helped to stabilize the strife torn northwest woods, and has helped to promote vital production for the war.

In recognition of these values and the special merits and circumstances in this case, the War Labor Board made its directive order.

THE CHALLENGE OF THE BOARD'S POWER

The National War Labor Board is set up by Executive order under the war powers of the President. The United States Steel Corporation questions the powers of this Board in this case. This challenge is directed not so much to this Board as to the powers of the Chief Executive of a democracy and the Commander in Chief of the Army and Navy in the midst of total war. Our Congress, our courts, and our history make the answer that our

democracy can lawfully make war to save our democracy.

Last summer the corporation, when making a propaganda argument to stir the American people against the recommendation of the Mediation Board, claimed that a maintenance of membership clause was a closed shop. Last month at the public hearing before the War Labor Board, the corporation rested its case on the argument that the same clause would in this situation be illegal because it was not a closed shop.

The National Association of Manufacturers, in a heavy broadside, recently charged that the War Labor Board had a closed shop policy. Some union leaders have charged that the Board had an open shop policy. The War Labor Board, as a matter of fact, thus far has not made a decision for a closed shop or for a union shop or for a preferential union shop. The labor members of the Board in joining in the decision in this case, have, of course, in no way expressed their strongly held views for complete union security. The War Labor Board, according to its judgment of the merits, has made decisions for union security in accordance with what the majority could unite on as merited in the case. The War Labor Board does not have an open shop policy and does not have a closed shop policy. It examines thoroughly the facts and considers the circumstances and equities in each case and attempts to arrive at a just decision. In between any effort of either the corporations or the unions to take advantage of the war situation, the Board steers a course of balance and equity as far as it has the light and insight needed for this difficult task.

Without any pretense whatever as to infallibility of consciously fallible men, the War Labor Board, nevertheless, is the appointed and responsible umpire. Destruction or erosion of the foundations of the Board by concerted and successive defiances is nothing less than destruction of the national agreement for uninterrupted production. Any union or corporation which, in the midst of this war, defies and thereby undermines the values of the War Labor Board, defies the umpire, defies the Government, breaks down peaceful procedures for the settlement of disputes, encourages strikes, and damages the war effort in an hour upon which now turns the humane hopes of mankind.

The umpire may once in a while miscall balls and strikes. But in the midst of a total war for our existence as a free people, let no labor union or no corporation defy the peaceful procedures of the Nation for the settlement of disputes and for unbroken maximum production. It is inconceivable that this subsidiary of even the most powerful corporation in the world shall longer defy the Government of the people of the United States.

In the momentous struggle between the United Nations and the Axis Powers, let us have no defiance of the Nation, no mustering of disunity, no measuring and testing of the comparative sovereignty of the United States Steel Corporation and the United States of America. To use great corporate powers against the settlement of this dispute would continue uncertainty in a shipyard where are built the ships which are to carry the cargoes and hopes of mankind on all the desperate seas of the world. Failure to settle this dispute would reveal both a lack of the acceptance of the democratic process and a lack of understanding of the decisive role of ships in the world strategy of the United Nations against the long-gathered might of the Fascist Axis Powers.

As we look across the seas we see American and Allied ships going down in waters far and near. As we look down the centuries and back to this world's darkest hour, we see centuries old charters of human liberty torn and trampled under the ruthless heels of dictators. As we look around the earth today we see freedom and democracy

lately the goal of modern nations now renounced or crushed in almost half the world. As we look inside the totalitarian nations we see subjected the most precious institutions of human freedom—the church, parliament, the corporation, the press, the radio, the university, and the labor union—high on the list in its once vital democratic meaning to the freedom and security of the millions who now in servile subjection do the work of the totalitarian states. This is part of the ground and background of our directive order to end this dispute by a fair and balanced settlement through a maintenance of membership clause.

SUMMARY

1. This maintenance of membership clause, as implemented in the directive order, has no absolute requirement for the discharge of a member of the union except by his own choice.
2. It does not require any employee to join the union at any time.
3. In its original form as proposed by Chief Justice Stacy, it was supported by all the seven public members of the National Defense Mediation Board.
4. It has merits and values of its own for the maintenance of membership, the maintenance of the contract, and the maintenance of maximum production for winning the war.
5. It is the decision of the umpire, upon the acceptance of whose decisions depends the survival of the national agreement for all-out uninterrupted production of arms, tanks, planes, and ships.
6. In the midst of this total and desperate war is no time for defiance of the Government by any labor union or corporation. It is the time for the acceptance of a decision carefully arrived at in accordance with the national agreement between labor, management, and the Government of the people of the United States. The war is wide and desperate, but the time is short. The time is too short for any further delays in the settlement of a dispute in a plant where are built the ships which carry the men and armaments and supplies to support American boys as they fight for the future of America and the future of freedom in the world.

Decision written by:

FRANK P. GRAHAM.

Members concurring:

WILLIAM H. DAVIS, *Chairman*.

GEORGE W. TAYLOR.

WAYNE L. MORSE.

THOMAS KENNEDY.

GEORGE MEANY.

EMIL RIEVE.

MARTIN DURKIN.

IN THE MATTER OF FEDERAL SHIPBUILDING & DRYDOCK CO. AND INDUSTRIAL UNION OF MARINE AND SHIPBUILDING WORKERS OF AMERICA, LOCAL NO. 16, CONGRESS OF INDUSTRIAL ORGANIZATIONS

CONCURRING OPINION BY WILLIAM H. DAVIS

I agree completely with the opinion of Dr. Graham in this case and write this concurring opinion only because I have been concerned with the case for such a long time and it involves an issue, namely, that of union security, which has been in my thoughts ever since I became Chairman of this Board, and even before then, naturally.

I want to say at the outset that I would vote for the order for one overwhelming reason—because I think it will increase production of ships and help win the war. This issue has been disturbing the relations between management and the workers at Kearny for just about a year. It is time to put an end to it.

The union demanded a union shop, asserting the belief that cooperative relations with the management and production of ships could best be served if all the eligible employees were members of the same union. The company wanted its employees to be quite free to join the union or not to join

the union, as they chose. On this broad issue the decision of the Board is in the company's favor. That decision applies only to employees who have joined the union of their own choosing.

In August of last year the National Defense Mediation Board decided that under the conditions created by the emergency and the shipbuilding stabilization agreement this local union was fairly entitled to the assurance that its membership would not be reduced by any form of attack during the life of the stabilization agreement, which binds the union until June 23, 1943. The Mediation Board recommended this same form of union protection in many cases, notably the North American Aviation case and in the Northwest lumber field, for instance. All the evidence that has accumulated during the intervening months is that the maintenance of membership clause has increased production and led to a more stable relationship between the management and the workers in the places where it has been put into effect. Of course, one cannot absolutely attribute this effect to one cause when a number of possible causes may be involved. But no impartial person, charged with the responsibility that rests upon the public members of the National War Labor Board, can ignore the established fact that wherever this type of clause, in its various modifications, has been put into operation production has invariably increased.

On the paramount consideration of increased war production, it is my considered and deliberate judgment that no representative of the public on this Board who is impartial and unafraid could fail to vote for the order of the Board in this case. Here the Board has assiduously tried to put this clause, which its judgment shows to be in accord with the interests of increased production, into effect without in any degree imperiling those rights of freedom which we all hold dear.

A number of arguments have been put to the Board, both in this case and in other cases involving union security, and I would like to set forth those arguments and make certain observations with respect to them in the light of the clause which the Board is ordering in this case.

1. It has been urged that the Government should never order a worker to become a member of any union or lose his job, because certain workers as a matter of principle are opposed either to unions in general or to the particular union in the plant in which they make their living. With respect to this argument, it should be observed that the clause ordered by the Board in this case leaves every employee free to join the union or not to join, as he chooses. The order of the Board applies only to men who have already voluntarily joined the union, and it imposes even upon them the obligation to maintain their membership only in a limited sense. It is self-evident that these men by joining the union have expressly demonstrated that they do not hold a creed which would lead them to reject trade-unionism in general or this union in particular.

2. It has been urged that even though a worker may have accepted in his creed the principles of trade-unions in general and this particular union individually he might have a reservation in his mind with respect to making his membership in the union a condition of his employment or the surrender of some other right to which he is normally entitled. It is argued that the Government should not order peremptorily such a person to surrender this reservation of feeling. With respect to this argument it may be observed that the clause in question applies only to members who are in good standing at the date on which the contract between the company and the union is entered into pursuant to the order of the Board. For over a year this union has demanded a closed shop and for almost a year a recommendation of the National Defense Mediation Board has made

a maintenance of membership clause 'one of the paramount considerations at the shipyard. Surely no one could say that any of the workers who has maintained his membership in the union throughout this period has not accepted for himself the principle that maintenance of membership might be a condition of his continued employment.

3. It has been brought to the attention of the Board that every man has a right at common law to withdraw and cease to be a member of any association, whether it be a trade-union or some other form of organization. It is argued that the Government, by its order, should never abrogate this deep-rooted common-law right. With respect to this argument, it should be observed that the clause ordered by the Board in this case does not abrogate this right for two reasons: (1) The War Labor Board is in essence an implementation of collective bargaining during the war period. It settles all labor disputes by directing the parties to include certain clauses in collective-bargaining contracts. The present order is an order of this character. Thus the clause contained in the order will not become effective until it is incorporated into a contract entered into by the parties. Pending such time, any individual member of the union at the shipyard has a right to formally withdraw from the union. (2) An individual member has the right to withdraw from the union if, for some reason of conscience or otherwise, he cannot adhere to the principles which a majority of the union wishes to forward. In the event that such a person wants to withdraw the only penalty entailed is that he continue to pay his dues for the duration of the contract. This is a very normal common-law concept. A man may join a club and obligate himself to pay dues for a certain period. The law gives him the right to withdraw from the club and to cease to be associated with its members but such withdrawal does not of necessity, legally or in good conscience, cut off his obligation to help the organization discharge the financial obligations it has incurred by continuing to pay his dues for a limited term.

4. The counsel for the company in this case has argued that an order of the type issued by the Board would be illegal as a violation of the National Labor Relations Act. The argument runs like this: Section 7 (3) of the National Labor Relations Act provides that it is an unfair labor practice for an employer to discriminate in regard to hire or tenure of employment, or any term or condition of employment, to encourage or discourage membership in any labor organization; provided that nothing in the act shall preclude an employer from making an agreement with a labor organization to require as a condition of employment membership in the labor organization.

It is argued that the proviso in the statute precludes this Board from ordering the inclusion of a maintenance of membership clause in a contract for two reasons: (1) It is contended that the proviso contemplates only a closed or union shop, and accordingly, that anything short of a union or closed shop would be illegal under the well-recognized maxim of construction that when a legislative body expresses approval of one thing, it excludes the legality of all other alternatives. (2) From the same maxim of construction it is argued that by providing that such an arrangement should be an agreement, Congress precluded any other method by which the obligation of a maintenance of membership clause might come into effect.

Of course, this Board does not arrogate to itself the power to dispose of questions of law. However, we have given serious thoughts to these legal arguments which have been put before us and are not prepared to accept them for three reasons: (1) With respect to the first contention, namely, that the proviso necessitated the conclusion that only a closed shop is legitimate under the statute, the answer seems to be that the whole includes its parts

as a matter of common-sense construction. Certainly it is anomalous for someone who is opposed to a maintenance of membership clause to base his argument against the clause on the ground that Congress by a statute permits only a closed shop. (2) With respect to the second argument, it should be observed that the maxim of construction that where a legislative body expresses itself with respect to one subject matter, it excludes all other subject matters, is one of very definite limitations. For example, if Congress passed a statute now making all gambling contracts legal, it would be fruitless to argue from such a statute that by virtue of its very existence some other form of contract is illegal, and we cannot believe that by putting its stamp of approval on an agreed closed shop or some modification of a closed shop, Congress intended to preclude a Board set-up in time of war from granting a form of union security which meets the practical needs of the war situation. (3) Lastly, of course, the National Labor Relations Act is in truth the buckler of labor and it clearly wasn't the intent of Congress that the buckler should be thrown away in time of war and turned against labor by ingenious legal arguments.

WILLIAM H. DAVIS.

WASHINGTON, D. C., April 25, 1942.

NATIONAL WAR LABOR BOARD,
April 25, 1942.

IN THE MATTER OF FEDERAL SHIPBUILDING & DRYDOCK CO., KEARNY, N. J., AND INDUSTRIAL UNION OF MARINE AND SHIPBUILDING WORKERS OF AMERICA, LOCAL NO. 16, CONGRESS OF INDUSTRIAL ORGANIZATIONS

DISSENTING OPINION

We employer members of the Board feel that we have no alternative, as American citizens or as representatives of a Government agency, except to dissent from the directive order in this case.

Each of us is deeply concerned with the gravity of the whole labor relations situation of our country at this time. We fully appreciate the value of a unanimous decision with respect to establishment of a national labor policy. All groups are being called on to make sacrifices to preserve the Nation. Knowing this, we made several proposals for the settlement of this case. These proposals were rejected. There is a point beyond which we cannot go in sacrificing sound principles of government, and this is the stand that we now take.

The issues in this case are quite clear. This is not an ordinary case. In July 1941, the same issues were presented to the National Defense Mediation Board; a decision was rendered; the company refused to accept the recommendation of the Board and offered to turn the yard over to the Government for operation rather than agree to the contract proposed by the National Defense Mediation Board. The shipyard was taken over and operated by the Government until early 1942. At that time the shipyard was turned back to the company unconditionally. During the period that the shipyard was operated by the Government, the recommendation of the National Defense Mediation Board was not enforced.

The identical issue is now brought before the National War Labor Board. The union has demanded that the employer be compelled to discharge any employee who fails to keep his membership in the union in good standing. This is the same issue that was presented to the Mediation Board, to this company, and to our Government in 1941. The only change in the present directive order is to provide as an alternative that the employer be requested by the employee, under penalty of discharge, to deduct from his pay his financial obligation to the union.

In view of all the circumstances surrounding this case and the publicity it has received, it is plain that a decision in this

case is not one merely affecting the labor relations of this one company. Much has been said about each case being determined on its own merits. Any practical person, and especially the members of this Board and those who served on the National Defense Mediation Board, know the fallacy of such statements. The National Defense Mediation Board was wrecked on this issue and the resignation of some of the labor members of that Board was predicated on the theory that a previous decision of the Board established a governing precedent. This pattern, of necessity, will have to be followed not only by this Board but by conciliation and mediation services throughout the country, and not only in the shipbuilding industry but in all industries.

Some of the arguments advanced by the majority are paradoxical. One is that when an employee voluntarily joins a union that he delegates to the officers of that union the right to make a contract which will not permit him to withdraw from the union without losing his job. We do not agree that any such inference can be drawn. We assert that if the members of a union are to be bound to pay their dues and fines to that union during the life of an agreement, each and every member should have the opportunity to say whether he wishes to be so bound, and all we ask is that such members be given such opportunity. If the contention is correct that members of a union intend to be so bound by virtue of joining a union, what then can be the possible objection to giving each of them an opportunity to express his wishes?

We are not taking a position as individuals or as employers for or against the closed shop, the union shop, the preferential shop, union maintenance, or any other form of contract that any employer and union may see fit to make, provided that contract is not contrary to law. However, acting in our capacity as members of a Government agency, we cannot subscribe to any national labor policy which compels an unwilling employer to force an unwilling employee either to join or to remain a member of a labor union in order to play his part in winning this war. If this position is taken by a Government agency and a national labor policy is thus established, then Government must of necessity accept the responsibility of the supervision of that labor organization to which it forces an employee to pay dues, fines, and assessments. If this position is taken by government, then government, in effect, exacts taxes from an individual citizen to be paid to a private organization for the privilege of working.

Acting as employer representatives of the National War Labor Board, we cannot subscribe to such a policy.

The employer members presented two proposals, both of which the majority rejected, which can be summarized as follows:

(1) That the company shall insert a provision in the contract with the union making continuance of membership a condition of employment for all union members who voluntarily certify in writing thereafter their willingness to remain members of the union during the life of the contract.

(2) That if the company is directed to insert a provision in the contract requiring union members who are employees to maintain their membership in the union in good standing as a condition of employment, then after such contract is entered into each employee who is a union member shall be given a definite opportunity, within a stated time, to resign from the union. If he fails so to resign, he would then be required, as a condition of employment, to remain a member of the union in good standing for the contract period.

The majority of the Board, by rejecting both of these proposals, have made it clear that they do not concede the right of the individual worker an opportunity to resign from the union. On the other hand, by failing to provide an "escape" clause, as sug-

gested in (2) above, they are deciding that employees who are already members of the union must be conclusively presumed to have agreed, when they originally joined the union, that their jobs would, for the duration of the union contract, depend upon the continuance of union membership. We are not willing to ascribe any such state of mind to those employees who are already members of the union, and in our view the only fair and practical way to determine the intention of individuals who have already joined is to give them the opportunity to remain in or resign from the union. We submit that the right to resign from a labor organization is exactly the same as the right to join or not to join in the first place.

In the Walker Turner and the International Harvester cases, and now in this case, the employer members have reiterated their belief that harmonious and cooperative relations between the management and employees, so essential to production, cannot be obtained by an administrative board compelling an employer and a union to enter into any agreement which deprives the worker of the opportunity to decide for himself whether or not he wishes to remain a member of a labor organization as a condition of continued employment.

The majority have stressed that the union security provisions now ordered by them are necessary to efficient production in this shipyard. This is contrary to the clear facts in the case. Since the Navy turned the plant back to the company at midnight on January 6, 1942, the company has been exerting all its efforts to produce vessels so essential for national offense. This company has been in the shipbuilding business for over 25 years and it is noteworthy that on or about January 9 last, the Navy Department asked this same company to construct and manage a second shipyard devoted to turning out more vessels for national offense. This company, doing work vital to our war effort, is well ahead of schedule at the present time. No such contract provision as now ordered is necessary to achieve that result. The imposition of such a provision on management and employees, against their will, may well result in the very opposite of what the majority so confidently predict.

ROGER D. LAPHAM.
H. L. DERBY.
E. J. McMILLAN.
H. B. HORTON.

NATIONAL WAR LABOR BOARD,
April 25, 1942.

IN THE MATTER OF FEDERAL SHIPBUILDING & DRYDOCK CO., KEARNY, N. J., AND INDUSTRIAL UNION OF MARINE AND SHIPBUILDING WORKERS OF AMERICA, LOCAL NO. 16, CONGRESS OF INDUSTRIAL ORGANIZATIONS

SEPARATE DISSENTING OPINION OF E. J. McMILLAN
IN FEDERAL SHIPBUILDING CASE

I concur completely in the dissenting opinion of the other employer members in this case. Because of the importance of the issues involved, I wish to record the following additional individual views in support of the dissenting opinion.

It has been contended that the order relative to union security handed down by the National Defense Mediation Board on July 26, 1941, in the case of Federal Shipbuilding Corporation is still in effect and that the National War Labor Board should consider itself bound by that order, simply implementing that order to make it effective. An agency of the Federal Government, the Navy Department, took over the plant of the Federal Shipbuilding Corporation August 24, 1941, and operated it until January 6, 1942, when it was turned back to the owners unconditionally. During the period of operation of the plant by the Navy Department,

the order of the National Defense Mediation Board was not complied with. Furthermore, the National Defense Mediation Board ceased to exist January 12, 1942. The National War Labor Board created by the President's Executive order of January 12, 1942, should, we contend, consider this case, or any other case properly before it, purely on its merits and we have so considered this case. It cannot be considered bound by any decision or action of a predecessor agency.

If the union certified in this case by the National Labor Relations Board as the exclusive bargaining agent for the employees of the corporation, desires union security in any form and should the corporation voluntarily agree in collective bargaining to such union security, well and good, providing such agreement is not in violation of the National Labor Relations Act or any other laws of the land. But when through collective bargaining, such agreement cannot be reached and the union appeals to this Board for a directive order providing union security, an entirely different situation presents itself.

I maintain that no agency of the Federal Government, without empowering legislative enactment (now lacking) should compel an unwilling employer to impose "union security" upon any of its employees unless each of those employees, free from intimidation or coercion, elects to be bound by a pledge to maintain his membership in good standing in the union as a condition of continued employment. Such imposition transgresses the inalienable right of freedom of action guaranteed under the Constitution to every citizen of these United States. If a directive order is made by this Board, providing union security, certainly under his constitutional right, the employee, after noting the terms of the contract resulting from the Board's directive order, is privileged to elect in some fair manner, whether or not he will continue his membership in the union, when such continuance of membership commits him to continued support of the union during the life of the contract. True, under the terms of the directive order of the majority decision in this case, a man may deliberately violate some rule or regulation of the union or refuse to pay his dues therein so that he ceases to be in good standing in the union, and as the result of such action, may be expelled from the union without necessarily being discharged by the company. But I maintain that no such reprehensible action should be necessary in order for one to withdraw from the union. Why should a properly conducted union not grant to each of its members the privilege of withdrawal from the union after examination of a contract containing union security provisions? Would not the cause of labor be forwarded by such democratic process?

Furthermore, if labor demands of an agency of the Federal Government the imposition of union security upon its members, meaning that the Government requires one of its citizens to pay dues into the treasury of the union, then should not the Government prescribe the rules governing the operation of that union and the disposition of its funds?

For the foregoing reasons, as well as those stated in the dissenting opinion of the other employer members, I cannot subscribe to the majority decision in this case.

E. J. McMILLAN.

FREEZING LABOR POLICY (By Ernest Lindley)

MAINTENANCE OF MEMBERSHIP

The attack on the War Labor Board by certain employers and employer groups is intensifying. The critical question is union security—often erroneously called the closed shop. On this question the Board is divid-

ing with painful regularity—the employer representatives on one side and the labor and public representatives on the other.

In three successive important cases the Board by such a divided vote has granted to the unions a form of security known as "a maintenance of membership clause." Roughly, this means that any worker who belongs to the union when the contract is signed, or becomes a member thereafter, must keep up his membership until the expiration of the contract. This is not the closed shop which requires the employer to hire only union members. It is not the union shop which permits the employer to hire non-union members on condition that they join the union. Under the "maintenance of membership clause," no employee is required to join the union, but those who do join are "frozen" until the expiration of the contract. If the member fails to pay his dues, the employer must discharge him.

This clause is attacked as an interference with individual liberty. As a recent dissenting opinion of the employer members of the War Labor Board said, "We cannot subscribe to any national labor policy which compels an unwilling employer to force an unwilling employee either to join or to remain a member of a union in order to play his part in winning the war."

The quotation is from the dissent in the Kearny case, involving a C. I. O. union and the Federal Shipbuilding & Drydock Co., a subsidiary of the United States Steel Corporation. There was no question of compelling an employee to join a union. The only point at issue was compelling him to remain a member once he voluntarily had joined.

The majority did not ignore the right of a union member to change his mind. Its order requires the union member to pay his dues until the contract expires, 14 months hence, but it does not require him to remain a union member. If he finds the union leadership obnoxious or for any other reason wishes to register his protest by resigning, he may do so. In addition, in the Kearny case there are two other escape provisions. The "maintenance of membership" clause does not go into effect until the company and the union sign the contract conforming to the Board's order. Every union member has had due warning that this clause has been ordered included in the contract. By resigning at once he would voluntarily escape any obligation to pay dues for the duration of the contract.

Moreover, it has now been 9 months since the Kearny situation was first passed upon by the War Labor Board's predecessor, the National Mediation Board. At that time the union wanted a closed or union shop and believed it could get one by striking. The Defense Mediation Board, deciding that it should have some form of protection, offered the milder maintenance-of-membership clause. The union voted down this proposal twice before accepting it. Then the management balked. The management's inflexible attitude led the President to order the Navy to take over the yards. In January the Navy returned the yards to the owners, who still refused to accept the maintenance-of-membership clause.

This past history undoubtedly imposed a moral obligation on the Government to protect the union, which, under Government pressure, had given up the fight for the stronger form of union security which it believed it could get by striking. But it also has afforded employees of this shipyard 9 months to make up their minds about joining the union or withdrawing from it. Some have resigned. Those who kept their membership presumably did so with full expectation of paying dues to July 1943, when the contract will expire, for it was reasonable for

them to suppose that, having turned the yards back to the owners, the Government would see that the contract contained the maintenance-of-membership clause granted last summer.

Thus, any union member objecting to a union-maintenance clause has had 9 months to resign from the union. Under the War Labor Board's award he may still withdraw completely at any moment until the contract is signed, and even after the contract goes into effect he may register his protest at any time by resigning, even though he must then continue to pay dues.

In fact, between what the majority of the board ordered and what the employer members said they wanted the difference is slight.

The basic question remains: Why award any form of union security? The answer is that the unions have given up the right to strike and their leaders are attempting, with very great success, to enforce this rule among the rank and file. In addition, the unions are signing contracts fixing wages and other conditions of work for definite periods. The unions, in short, are giving up the methods which normally are most effective in holding and increasing their membership, and in compelling employers to grant closed or union shops. The unions feel entitled, in return, to some kind of protection against dissolution. The maintenance-of-membership clause is an intermediate form of protection. It is a method of freezing the union's strength.

ALFRED W. HANMER—WETHERSFIELD'S FIRST CITIZEN

Mr. DANAHER. Mr. President, it was my pleasure some years ago, when secretary of the State of Connecticut, to solicit and procure from Gov. Wilbur L. Cross an article descriptive of the office of Governor as he viewed it, and his article appeared in the Connecticut State Register and Manual for 1934.

Dr. Cross, dean of the Yale Graduate School, one of the most dearly beloved of our Connecticut citizens, served four successive terms as Governor of our grand little State. Describing himself, as many thought, he said:

Almost invariably the Governor was a well-educated, shrewd, and honorable man of florid complexion who, once in office, managed to stay there until overtaken by death or the infirmities of age. In the eyes of all classes he was a highly respected symbol of government, though in fact he was but a dignified and venerable shadow of the general assembly.

The practice has prevailed as to offices other than that of Governor, notably in our town governments which are the more important because the voting public is most intimately concerned with government at the scene of its first impact, namely in the towns. Thus, I might paraphrase Dean Cross in his reference to the "well educated, shrewd, and honorable man of florid complexion who, once in office, managed to stay there until overtaken by death * * *" in my reference to Hon. Alfred W. Hanmer, first selectman of the town of Wethersfield, Conn. For over 300 years of Connecticut history in its town and local governments, where a pure democracy can be found to have operated at its best, we have pursued the general method of selecting worthy men for office, and then continuing them therein.

One of the oldest towns in our State, the town of Wethersfield, founded more than 300 years ago, held an election on the 27th of April of this year. At that time Mr. Alfred W. Hanmer was reelected first selectman of the town of Wethersfield for his forty-third term. Mr. Hanmer, known to everyone in and about Hartford County, is one of the most able and gifted of the citizens of our community. I have felt such a deep and personal interest in him and in his achievements in behalf of the community, the town of Wethersfield, right there in the cradle of Connecticut history, that I have abstracted from the Hartford Courant for April 12, 1942, an article entitled "Wethersfield's First Citizen." Because of Mr. Hanmer's many contributions to the principles of local government and to the town of Wethersfield, which he has so honorably represented these many years, I ask unanimous consent that the article from the Hartford Courant be published in full in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Hartford Courant Magazine of April 12, 1942]

WETHERSFIELD'S FIRST CITIZEN

(By Mary G. Jensen)

"What this town needs * * *" is the essence of town meeting talk. Sometimes it's the "outs" hammering away at the "ins," or the "ins" looking for an out, the progressives criticizing the reactionaries or the reverse. Wethersfield, in common with hundreds of other New England towns, has been periodically stirred by demands for changes.

But when the young men of the town elected their 28-year-old candidate for first selectman, some of the old guard thought things had gone too far. Their most optimistic hope for the candidate's political future was that with proper guidance the boy might get through a term. That was in 1898. The young selectman did survive his first year in office and ran again.

And again! On April 6, 1942, the Wethersfield Republican caucus renominated the same man for the same office for the forty-second time. Today Alfred W. Hanmer is a man of 72 with a record of 44 years uninterrupted service as first selectman of his town. He was elected annually until 1938, when the selectman's term of office was extended to 2 years.

Josiah G. Adams, first selectman for 14 years, knew that there had been some talk about a group of young insurgents in the Republican Party when he dropped into Dix & Wells old store on Main Street one afternoon in the fall of 1898. "Some of the boys are thinking of putting me up for selectman," the new owner, a young man who had recently bought the establishment in partnership with Charles Bulkley, told him. "And if you're planning to accept renomination, I'd like to know because I don't want to run against you."

Mr. Adams said he didn't know and let it go at that until less than a week before caucus. When he finally told young Hanmer that he was definitely in the running, Al's campaign workers, young men who wanted a change in town government, had gone too far too fast to be stopped. At the caucus Al Hanmer won the nomination by a majority of 16 votes.

This year, the veteran town leader had hoped to retire, but friends urged him to carry on through the present period of un-

certainty. It just seemed to him, he explained, that 44 years was a little more than long enough. However, when and if the first selectman is ever permitted to retire from office, it is certain that his townspeople will never permit him to retire to a private life.

Al Hanmer, in Wethersfield, is like a competent housekeeper in her home. He knows where everything is, and the whole town, officials and residents alike, have come to depend on him.

Over 6 feet tall, erect as ever, the first selectman can be found daily behind the counter of his store on Main Street when duties of office do not require his presence in town hall diagonally across the street.

The convenience of Al Hanmer's retail grocery and feed store, the same one where he once worked for Newton Dix and J. Frank Wells, has made it a town hall annex. For 50 years his workday has followed the same pattern, dispensing groceries and advice, weighing feed and decisions with care to give full measure in both. Residents drop in to do their marketing, register complaints, ask about permits, discuss taxes, the war, and the weather. Town commissioners always know where to find the first selectman for matters of business, increasingly heavy as the town grows.

The first year Al Hanmer was in office the population of Wethersfield was 2,500, and it cost \$15,000 to run the town. Town expenses in 1941, with a population close to 10,000, approximated half a million dollars.

Mr. Hanmer carried Wethersfield safely through the dark days of bank-holiday year, and he is proud of the continued stability of town finances. In 1898 Wethersfield's debt, owed to individuals, churches, and private organizations, was \$39,074, secured by a grand list of about \$1,400,000. With the 1941 list up to \$15,794,876, the town's indebtedness of \$322,000 leaves a borrowing capacity balance of almost \$700,000.

Tolerant, sympathetic, easy to talk to and laugh with, Al Hanmer is a good listener. He says he knows what he has to say, but if he listens to other people he always learns something new. Sharp-edged criticisms never seem to register very deeply with him. His interest is in finding out what the specific trouble is and doing something about it, if he can.

The veteran selectman hasn't forgotten his early experience with older men in Wethersfield who had to be sold on progressive ideas by a 28-year-old first selectman. At the first town meeting over which he presided the vote was put through to investigate electric lighting for Wethersfield. Then came the radical effort to regain approval for installation of sewers in town. In addition, the consolidated school system, modern school buildings, reorganized fire department, police force, welfare organization—all those services that are taken for granted today—were effected during the public lifetime of this one man.

At the time of the Wethersfield tercentenary in 1934 Mr. Hanmer was signally honored by his townspeople at a celebration of his thirty-fifth anniversary as first selectman. In 1913 he was elected as representative to the State legislature, where he served one term. He was appointed to the metropolitan district commission at its inception in 1927 and continues serving in that capacity.

A director of the Wethersfield Bank & Trust Co., he is now a member of the advisory board of its successor, the local branch of the Hartford, Conn., Trust Co. He is a charter member of the Wethersfield Country Club and Rotary Club, member of the Grange, Hospitality Lodge, No. 128, A. F. and A. M., First School Society, and Cemetery Association.

JACKSON DAY DINNER ADDRESS BY HON.
OSCAR R. EWING

[Mr. BARKLEY asked and obtained leave to have printed in the Record an address by Hon. Oscar R. Ewing, assistant chairman of the Democratic National Committee, at the Jackson Day dinner in Seattle, Wash., April 13, 1942, which appears in the Appendix.]

TAXATION OF CHARITABLE OR EDUCATIONAL INSTITUTIONS

[Mr. DANAHER asked and obtained leave to have printed in the Record a letter stating the attitude of the Catholic bishops of the United States toward a suggestion for the taxation of charitable and educational corporations, which appears in the Appendix.]

INDEPENDENT OFFICES APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 6430) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1943, and for other purposes.

The VICE PRESIDENT. The clerk will state the first committee amendment passed over.

The LEGISLATIVE CLERK. On page 71, line 14, after the words "steam plant", it is proposed to insert "the construction of a system of public-use navigation terminals of the Tennessee River."

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. BYRD. Mr. President, I take this occasion to congratulate and commend the members of the Senate Appropriations Committee, and especially the distinguished and able Senator from Tennessee [Mr. McKellar], the chairman of the subcommittee, for their recommendations which were adopted yesterday by the Senate that substantial reductions be made in the overhead and administrative expenses of a number of agencies covered by the independent offices appropriations bill for the fiscal year beginning July 1, 1942. The credit for this is due in large measure to the energy, ability, and fearlessness of the Senator from Tennessee [Mr. McKellar].

I may say at this point that I have been serving with the Senator from Tennessee as a member of the Joint Committee on Reduction of Nonessential Federal Expenditures, where he has rendered most important and valuable service. During the lengthy hearings and discussions held by this committee on many branches of Government activities, he has demonstrated a knowledge of the financial operations of the Government that has astonished his colleagues on the committee and has made him one of its most valuable members. This committee is working very diligently to reduce all nonessential spending so that the funds so saved can be conserved for the necessities of national defense.

The recommendations of the Appropriations Committee adopted by the Senate yesterday have a peculiar significance, in that for the first time, certainly in some years, a determined and courageous effort was undertaken to reduce the excessive and unreasonable administrative costs of a number of agencies, notably in traveling expenses and in publicity.

I may say, Mr. President, that in recent years there has been a flagrant abuse of the traveling privileges, and the multiplicity of publicity bureaus very nearly approaches a national scandal in the waste of public funds.

What the Appropriations Committee has done so effectively in the particular agencies dealt with should be extended to all other agencies of the Government, and this would result in the saving of millions unnecessarily expended for traveling, long-distance telephoning, and overlapping and unnecessary agencies conducting publicity or propaganda activities.

For traveling expenses, Mr. President, for the fiscal year ending July 1, 1941, according to information furnished by the Office of Government Reports, the total cost was \$147,936,385.

The National Youth Administration spent \$2,446,208 for traveling expenses.

The Work Projects Administration spent \$3,287,714 for traveling.

The Department of Agriculture spent, in all, \$16,595,435 for traveling. The traveling expenses of the Farm Security Administration, one of the smaller bureaus of the Government, amounted to \$6,607,083. The Farm Security Administration was the second bureau of the Government in the amount of expenditures for traveling.

These are just a few of the expenditures for traveling included in the total of approximately \$147,000,000.

For publicity, Mr. President, the Budget estimated that for the year ending July 1, 1941, the cost was \$27,770,000, and it has increased considerably since then.

It is estimated that 2,895 persons are giving their full time to publicity, while 31,618 persons on the Government pay roll are on a part-time basis.

The main publicity offices are the Office of Government Reports, which cost last year \$1,800,000; the Office of Facts and Figures, which cost \$950,000; the Division of Information, Office for Emergency Management, with 346 employees, which cost \$1,500,000; and the Coordinator of Information, which cost \$6,600,000. But these do not by any means represent the total, as every department has its own separate, distinct, and private publicity bureau.

The total pay roll for publicity agencies for the year ending July 1, 1941, was \$19,463,470, and other expenses \$8,306,470, and it has been increased since then.

I merely mention this, Mr. President, to indicate the broad field that still remains for very constructive economies in publicity, traveling, long-distance telephoning, and such overhead expenses.

Under the able leadership of the Senator from Tennessee [Mr. McKellar], a remarkably fine start has been made, and I hope that similar reductions will be made in other agencies of the Government as the appropriations are presented to the Senate.

Mr. TYDINGS. Mr. President, it is my recollection that when the Senate recessed last evening there was pending an amendment which I had offered from the floor. I should like to be advised as

to the parliamentary situation, because, as I understand, the Chair announced the question to be on a committee amendment.

The VICE PRESIDENT. The understanding of the Chair is that consideration of the committee amendments was to be concluded before individual amendments were to be in order.

Mr. TYDINGS. But the consideration of committee amendments was concluded yesterday, with the exception of the amendment just stated, which was passed over, and I offered my amendment yesterday with the permission and understanding of all Senators present that it would be in order. It was pending before the Senate, as will be seen by reference to the Record of yesterday.

The VICE PRESIDENT. Both amendments were postponed until today, and under the circumstances, both of them being postponed until today, the committee amendment would have preference.

Mr. McNARY. Mr. President, the Chair is quite correct in his ruling, of course. In fact, I do not recall that there was any agreement yesterday to proceed to the consideration of any amendment prior to the full disposal of the committee amendments. However, I have no objection to the amendment proposed by the Senator from Maryland being considered now, if other Senators have no objection.

Mr. McKellar. I have no objection to that being done, Mr. President.

Mr. TYDINGS. I believe my amendment is not of a controversial nature, and, inasmuch as it was discussed before the Senate recessed yesterday, I shall take the liberty of asking unanimous consent that it be considered now; and if it leads to debate, I myself will voluntarily withdraw it. I should like consideration of the amendment to follow the discussion had concerning it yesterday in the Record.

Mr. McKellar. Mr. President, I have no objection to that being done.

Mr. TYDINGS. I send to the desk the amendment which I ask to have stated.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. At the end of the bill it is proposed to insert the following new section:

SEC. 6. Where in this act appropriations have been authorized to be expended for the purchase of newspapers and periodicals and no specific limitation has been placed thereon, the expenditures therefor may not exceed the amount of \$50, but this limitation shall not apply to the Office of Government Reports and the Selective Service System.

The VICE PRESIDENT. Is the amendment now submitted offered as a modification of the amendment submitted yesterday?

Mr. TYDINGS. It is.

The VICE PRESIDENT. And as a part of it?

Mr. TYDINGS. No. The other amendment is withdrawn, and the amendment just now submitted is offered in its place.

Mr. McNARY. On what page will it come?

Mr. TYDINGS. The amendment will come at the end of the bill. There are about 30 or 40 different agencies which are authorized by the language of the bill to buy newspapers and periodicals. The funds provided for lawbooks, newspapers, and periodicals run as high, I believe, as \$10,000 in one case, \$6,000 in another case, \$5,000 in another case, \$7,500 in another, and \$6,000 in another. Of course, all this money would not be spent for newspapers and periodicals. Some of it would be spent for lawbooks and reference books. But the newspaper and periodical items are incorporated into the net sum, so there is no limitation at all on the purchase of newspapers and periodicals. I therefore have put the amendment in the amount of \$50 and have exempted from it the Office of Government Reports, the information office of which Mr. Mellett is the head, because newspapers and periodicals are the meat on which that Office feeds; and if they should be cut down, of course, the whole Office would be ineffective. I think we should either have the Office or not have it, and that question should be dealt with by direct attack and direct defense, rather than by a submarine attack. So I have excluded that Office from the provisions of the amendment, and I hope the amendment will be adopted.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. RUSSELL. I am in hearty sympathy with the purpose of the Senator's amendment; in fact, I think the Appropriations Committee did in most instances strike from the bill appropriations for newspapers and periodicals. I should like to point out, however, that some of these agencies have been moved out of the city of Washington, and it occurs to me that we might work great injustice in some cases because they do not have available the Congressional Library and the other facilities which are available to the agencies which remain in Washington.

Mr. TYDINGS. My amendment does not deal with lawbooks and reference books. It deals only with periodicals and newspapers. The provision for lawbooks and reference books is still retained in the measure.

Mr. RUSSELL. I suppose the matter could be worked out in conference, but it seems to me rather unjust to an organization such as, we will say, the Securities and Exchange Commission. I hold no brief for the Securities and Exchange Commission, but that organization has been transferred—lock, stock, and barrel—to Philadelphia, where it does not have the facilities to obtain information which are afforded other Government agencies which are located in Washington.

Mr. McKELLAR. If the provision as now worded would cause a hardship, I am sure the matter will be worked out in conference. I am sure we are in favor of the suggestion made by the Senator from Maryland. It is simply a question of working out a proper arrangement.

Mr. RUSSELL. I am in hearty accord with the proposal. The Appropriations Committee incorporated that policy in

the first bill that came before it, and eliminated the appropriation for newspapers and periodicals, but I hope that the Members of the Senate who are on the conference committee will see to it that in our zeal for economy, which I share, no injustice shall be worked on some of the agencies of the Government which have been moved away from the city of Washington.

Mr. TYDINGS. The language may have to be modified in conference. If it shall so appear, I shall be the first one to agree to necessary modification.

Mr. O'MAHONEY. Mr. President, I desire to call to the attention of the Senator from Maryland a possible ambiguity in the language as it has been read at the desk.

Mr. TYDINGS. Mr. President, I realized it myself as it was being read; namely, that the limitation in amount did not refer to each department, but I think that can be corrected in conference.

Mr. O'MAHONEY. I was about to suggest that we correct it now by inserting after the word "therefor", in the fifth line of the amendment, the language "under each such appropriation."

Mr. TYDINGS. Mr. President, I will accept that modification of language, and ask for a vote on my amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Maryland, as modified.

Mr. NORRIS. Mr. President, I am in favor of the Senator's amendment, but I was very much interested yesterday when he was giving information in regard to the various other items in the pending bill which provide for newspapers. I was on the point of interrupting him to tell him that if he would proceed a little further he would find an exception, in an item in which newspapers and periodicals were stricken out, and we are practically up to that item now. It appears on page 71, and applies to the T. V. A. A different rule was applied by the committee to the T. V. A. than was applied to all the other agencies and departments.

Mr. TYDINGS. The Senator from Nebraska is correct about that.

Mr. NORRIS. In respect to the T. V. A. the item was stricken out.

Mr. TYDINGS. Mr. President, I was present in committee the day that action was taken, and I do not know what the discussion was with respect to it, but I trust—

Mr. McKELLAR. Mr. President, we will make the same rule apply to all.

Mr. NORRIS. I was about to suggest, if the Senator had not brought it up, that when we do reach this T. V. A. item, whatever rule applies to other agencies ought to apply to the T. V. A.

Mr. TYDINGS. It ought to apply to all, yes; and we can correct it when we come to that item.

The VICE PRESIDENT. Without objection, the amendment offered by the Senator from Maryland, as modified, is agreed to.

Mr. McKELLAR. Mr. President, I believe there are two items which come before us next, and I should like to have them voted upon now. The first is in

lines 14 and 15 on page 71, after the word "plant;" to insert "the construction of a system of public-use navigation terminals on the Tennessee River."

The VICE PRESIDENT. The amendments have already been stated. The question is on agreeing to the amendment in lines 14 and 15 on page 71.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment under the heading "Tennessee Valley Authority" will be stated.

The LEGISLATIVE CLERK. On page 71, line 22, after "reference", to strike out "newspapers."

Mr. McKELLAR. Mr. President, that is covered by the Tydings amendment, and the committee amendment should be disagreed to.

The VICE PRESIDENT. Without objection, the committee amendment is rejected.

The next committee amendment will be stated.

The next amendment was, on page 71, line 23, after "periodicals", to strike out "purchase."

Mr. McKELLAR. That amendment does not refer to newspapers, and should be agreed to.

Mr. NORRIS. Mr. President—

Mr. McNARY. Mr. President, I wish to inquire if the purpose of the amendment is to prohibit the T. V. A. from acquiring new passenger cars in the administration of the affairs of the Tennessee Valley Authority?

Mr. McKELLAR. Yes; that is true. The reason the amendment was adopted by the committee is that it was shown by the evidence that last year the T. V. A. had in use 763 passenger cars. It was the opinion of the committee that with the present priorities and the present lack of rubber, the Tennessee Valley Authority was particularly and peculiarly fortunate in having 763 cars, and that it was not necessary to give the Authority the right to buy any additional cars.

Mr. NORRIS. Mr. President—

Mr. McKELLAR. I yield to the Senator from Nebraska.

Mr. NORRIS. I wish to obtain the floor in my own right.

Mr. McKELLAR. I have the floor.

Mr. NORRIS. I know; but the Senator cannot retain the floor indefinitely.

Mr. McKELLAR. I can retain it for the present, to make a speech at this time.

Mr. NORRIS. I have no intention of interrupting the Senator.

Mr. McKELLAR. I did not think so. The Senator said he wanted to obtain the floor.

Mr. NORRIS. I wish to speak on the question before the Senate.

Mr. BARKLEY. Mr. President, as I understand this amendment relates only to striking out one word.

Mr. McKELLAR. That is all.

Mr. BARKLEY. That is the amendment which is before us. Is it on that subject that the Senator wishes to address the Senate or on the whole T. V. A. situation?

Mr. McKELLAR. I wish to discuss the next amendment, on page 72.

Mr. McNARY. I think the Senator from Nebraska wishes to discuss the

amendment striking out the word "purchase."

Mr. McKELLAR. If that is all, let him do so now. I yield to the Senator for that purpose.

Mr. NORRIS. I do not wish to take the Senator from Tennessee from the floor. Before we vote on an amendment every Senator is entitled to express himself on it. I wish to speak on the question of striking out the word "purchase."

Mr. McKELLAR. Very well.

Mr. NORRIS. If the Senator from Tennessee has the floor, as he says, and wishes to speak on that question, or any other question, I have no objection. I do not want to interrupt him. However, he has stated that he wishes to speak on the next amendment.

Mr. President, I suppose it is useless to contest this amendment, because on the face of it it cuts down expenses. As a matter of fact, it involves no economy. I do not expect to oppose it seriously, because I presume the Senate will agree to the amendment.

The effect of the amendment would be that during the fiscal year 1943 the T. V. A. could not purchase a single automobile. At the same time, because of conditions with which we are all more or less familiar, the use of automobiles in 1943 will be greater than it was in 1942. If the T. V. A. were deprived of the use of automobiles, it would be impossible for it to carry on its business. As we know, it covers a territory extending over seven States. It has an office in Washington. It has dealings with manufacturers of various articles which it must have all over the United States. Under State laws, it must look after the shores of its many lakes, to protect the area from malaria and other mosquito-borne diseases.

In many cases the only way in which the T. V. A. can reach the territory is by automobile. The restrictions on automobiles and rubber will themselves probably decrease the use of automobiles, regardless of what our appropriation may be.

In order to buy an automobile under existing conditions, the purchaser must go through the formula of obtaining consent from the proper authorities. It may be that the T. V. A. will have enough old and second-hand automobiles on hand to enable it to function properly. However, I anticipate that the demand for their use in 1943 will be much greater than it was in 1942. Necessarily the T. V. A. cannot be supplied with all its needs in that respect because of the conditions which prevail in regard to the use of rubber and other materials which enter into the manufacture of automobiles. Automobiles will not be manufactured; and in order to obtain one the purchaser must show that he has use for it in some necessary activity.

At the present time the T. V. A. is engaged in war production more than in any other one activity.

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Does the Senator from Nebraska yield to the Senator from Kentucky?

Mr. NORRIS. I yield.

Mr. BARKLEY. In addition to the normal activities of the T. V. A. in furnishing power to communities, which was the main object of the creation of the T. V. A., within the radius of the territory which it can serve, my information is that 80 percent of its power is now furnished to war industries for the production of war materials, such as aluminum and various other things. There is now under consideration the construction in that area of a synthetic rubber plant. We all know that already, because of the war, the load on the T. V. A. has been enormously increased, and it is bound to increase still further. It is impossible to anticipate the increase very far ahead.

What effect would the amendment, denying the T. V. A. the right to purchase a single automobile, have upon the ability of the T. V. A. to serve the new requirements because of the war? It has more than 5,500 miles of transmission lines of its own. It also has agreements by which it obtains power temporarily from other utility units which are able to furnish it while its dams are being completed so that it can furnish the power from its own generating plants.

In view of the increase in the load for war purposes and the probable further increase, depending upon the number of plants which may be located in the area for war purposes, what effect would the amendment have upon the ability of the T. V. A. to function and serve the various agencies, if it were denied the right to purchase a single automobile? I realize, as does the Senator, that 700 or more cars seem to be a great many cars, but we must not forget that up to the present time this has been a \$225,000,000 enterprise. The people have put that much money into the project.

Mr. NORRIS. It is engaged in a business which requires the use of automobiles.

Mr. BARKLEY. It is a great utility. It is necessary to have representatives on the ground in the various units all over the territory served. It is even necessary to send inspectors to factories which are making things which enable the T. V. A. to install units and to make repairs and extensions necessary to serve those who depend upon it for power. That means that at times a representative must be sent a distance of a thousand miles or more. In view of the increase in traveling expenses by reason of the increase in passenger fares and other items, if representatives of the T. V. A. must be sent to various places by rail or air because the T. V. A. cannot have enough automobiles, what would be the effect, in the Senator's opinion?

Mr. NORRIS. In my opinion, the expenditures would be increased rather than decreased, which is the object of the amendment.

Mr. BARKLEY. This amendment would deny the T. V. A. the right to purchase automobiles. By another amendment its travel allowance would be very materially reduced.

Mr. NORRIS. The next amendment would cut down the travel allowance. Such a situation might make it impossible for the T. V. A. to operate.

Mr. BARKLEY. I do not have any interest in any individual buying a car. I myself cannot buy a car. I cannot even buy a tire. The other day I had to have a couple of old tires plugged in order to get from my house to the Senate.

Mr. NORRIS. I have a tire which I will sell to the Senator. I will throw in an automobile. [Laughter.]

Mr. BARKLEY. The Senator says he will sell me a tire and throw in an automobile?

Mr. NORRIS. Yes.

Mr. BARKLEY. I will negotiate with the Senator privately. [Laughter.]

I mention that only as evidence of the fact that, while we in Washington can get along without cars or tires, because we can travel on the streetcars or walk, in view of the present emergency it is necessary for business organizations which have been set up by the Government to have the ability to get around and transact their business. We must consider whether, in the long run, it is cheaper to buy a car for the use of those who must go to various places, send them on the train or by airplane, or not send them at all. If they cannot be sent at all, the T. V. A. will have to wait until something which it has ordered is delivered, and then perhaps find that it is wrong because it was not inspected at the place where it was made. This would cause much delay and interference with its activities. I wish the Senator would elaborate on that point.

Mr. NORRIS. I had not intended to talk about that. I thought I might do so on another amendment, one relating to travel.

Mr. HILL. Mr. President, will the Senator yield there?

Mr. NORRIS. I yield.

Mr. HILL. In line with the thought expressed by the Senator from Kentucky, let me point out that the T. V. A. now has under construction, not yet finally completed, some 12 dams. They are also doing work on 2 large steam-power plants. In order to get to many of the dams the only way to go is by car. To many of the dams there is no railroad; and there are no airfields nearby, so certainly it is impossible to reach them by airplane. The only way to reach them is by automobile. Of course, the engineers must be able to get to the dams. In one instance a project manager has charge not of 1 dam but of 4 different dams. That means that he has to keep busy going to the different projects. The dams and the construction works have to be visited by engineers and superintendents and project managers. Many men are working there. The only way they have to get there is by road, which means by traveling in an automobile of some kind. If the amendment is voted down, the appropriation will not be increased by \$1. It is not the purpose of the Senator to increase the appropriation.

The only result for the T. V. A. would be that if it were necessary, if the War Production Board thought it were necessary, and were to give its consent from the standpoint of defense, the T. V. A. would be permitted to buy an automobile.

Is not that correct?

Mr. NORRIS. I think that is correct; yes.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. McKELLAR. Mr. President, this organization has 763 passenger cars. That is more than most other organizations or individuals are blessed with. Last year the cost for gasoline, oil, repairs, depreciation, and the like, for those cars amounted to \$372,000, and they still have the same cars.

They have 763 cars, and last year they spent \$372,630, according to the statement of their general manager. Certainly those cars will give the T. V. A. all the passenger transportation it could possibly use. That is what it used last year, and it can use them this year.

Mr. NORRIS. All that may be true, Mr. President; I am not in a position to deny it. They may not buy a single car; but it seems to me, if they were not able to buy a car unless they came to Congress and got an appropriation for it, if an emergency arose in which 1 car or 100 cars would be absolutely necessary in order to permit them to function, the situation would be deplorable.

That is the only thing that is affected here. The Senator from Alabama says the appropriation would not be increased. If the instrumentalities of Government having charge of priorities on rubber, steel, and so forth, permitted, if the T. V. A. were to show that they were entitled to one car, and had to have it, this would enable them to get it. That is all. That is all I am contending for.

I cannot tell what may happen. I sincerely trust that they will not have to buy any cars; but to close the door, Mr. President, in the face of their activities for national defense, it seems to me, would be dangerous.

I should like to have a vote on this question.

Mr. HILL. Mr. President, will the Senator yield?

Mr. NORRIS. Yes; I yield.

Mr. HILL. Of course, the Senator recognizes that the work of the T. V. A. will be substantially greater this year than it was last year, because of the fact that, due to the war, due to the increase of war production in that area, the work of the T. V. A. has had to be greatly augmented. Is not that true?

Mr. NORRIS. Yes.

Mr. HILL. What might have served the purpose of the T. V. A. last year very likely would not serve its purpose this year. For instance, at one great plant, the plant of the Aluminum Co. of America, at Alcoa, Tenn., production has been enormously stepped up due to the demand for aluminum. That means that the T. V. A. has had to rush in and use steam plants that it did not use last year in order to obtain the power which is necessary to bring about the increased production of aluminum. That is just one illustration.

The present demands on the T. V. A. are far greater than were the demands a year ago. In fact, the demand today is the very maximum that could be imposed upon it, due to the crying need for aluminum, for ferrosilicon, for phosphorus,

and for other war materials which are being produced in the valley of the Tennessee.

Mr. McKELLAR. Mr. President, may we have a vote?

Mr. LUCAS. Mr. President, I should like to ask the distinguished Senator from Tennessee one or two questions in connection with the amendment.

Mr. McKELLAR. Yes, indeed.

Mr. LUCAS. Let me ask the Senator what the evidence disclosed with respect to the number of automobiles purchased by the Authority during the last year?

Mr. McKELLAR. I have not that record with me; but they have a way—they did last year and they want to do it again—of trading in cars. They have stated in their testimony that their purpose is to trade in cars. As I understand, cars cannot now be traded in. Of course, an organization like this one might possibly trade them in if it were given the authority.

At this point I should like to read the testimony of the general manager, Mr. Clapp:

Senator BANKHEAD. How many automobiles does the Authority own?

Mr. CLAPP. We own 763 passenger cars.

Senator McKELLAR. Seven hundred and sixty-three passenger cars.

Are you able to use them, all of them? Is it possible for your official force to use them, or do all of your people have automobiles?

Mr. CLAPP. Those passenger cars are used very heavily; they average in excess of 1,500 miles a month.

He said that all of them were used.

I continue to read from the testimony:

Senator McKELLAR. Well, now, you have 765 passenger cars; is the gasoline paid for by the Authority?

Mr. CLAPP. That is correct.

Senator McKELLAR. And the upkeep of the cars?

Mr. CLAPP. By the Authority.

Senator McKELLAR. And the new cars?

Mr. CLAPP. We operate those.

Senator McKELLAR. Do you allow the passengers in those cars mileage for using those cars?

Mr. CLAPP. Oh, no, sir.

Then he was asked to present a breakdown as to repairs; and the break-down is given as exhibit G, from which I read, as follows:

EXHIBIT G

Tennessee Valley Authority-owned passenger-car statistics, fiscal year 1941

1. Average number of passenger cars in service.....	574
2. Average investment in passenger cars	\$344,400
3. Operating costs of passenger cars:	
A. Gasoline.....	\$78,986
B. Oil.....	3,717
C. Tires and tubes.....	9,292
D. Miscellaneous services.....	37,170

Whatever they are—

E. Repairs.....	\$59,473
F. Depreciation.....	83,633
G. Garage and administration.....	98,500
H. Storage.....	1,859

Total..... 372,630

Under the circumstances, as they have 763 cars, and, in addition, a number of old cars, as was testified in another place, with all the necessary material and men

to repair the cars, surely, I think, they can get along with that number of passenger cars for the State of Tennessee, the northern part of Alabama, and the northern part of Mississippi, particularly.

Furthermore, as I will show the Senate in a few minutes, aside from passenger cars, which are just one item—and the upkeep of the passenger cars is \$372,000 a year, and, as testified, the cost was \$1,200,000—travel pay alone for the T. V. A. amounts to about \$800,000. That seems to be a considerable sum for travel pay, and at this time when our country is so greatly in need of money for war purposes it seems to me that the T. V. A. could get along with the 763 passenger cars they had last year, and that they could forego buying new cars, as they will probably have to do. Surely, this organization can get along with 763 passenger cars—not trucks and busses, for such vehicles are not included—the upkeep and gasoline for which cost \$372,000, when it also has \$800,000 for travel pay. In my opinion, they should have no difficulty in traveling from one dam to another.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. LUCAS. I should like to ask the Senator if this is the first time the Appropriations Committee has attempted to place any limitation upon the number of cars which may be obtained by the Authority.

Mr. McKELLAR. Yes; so far as I know, it is; and if I am permitted to make a statement to the Senate, as I hope I will later on, I will make clear the reason.

Mr. LUCAS. I am sorry that I bothered the Senator.

Mr. McKELLAR. The Senator from Illinois has not bothered me at all; I shall be glad to answer any questions he desires to ask, but these small amendments seem to me to be rather inconsequential as compared to the important amendment which we desire to discuss in a few moments. If the Senator has any other question, I shall be glad to answer, if I can.

Mr. LUCAS. It may be true that this item is inconsequential, but all I was attempting to do was to seek a little information about the automobile question, and I do it primarily because of the national defense. I wanted to ask the Senator whether he feels that the curtailment of automobiles under control of the Tennessee Valley Authority will, in any way, endanger the efficient operation of the plants of the T. V. A. during this emergency? I am interested only in one thing in connection with all these appropriations; I do not want to do anything that will cripple or curtail or hurt the war effort, and neither does the Senator from Tennessee.

Mr. McKELLAR. Indeed, I do not; and I am glad the Senator from Illinois feels that way about it. I wish to say that if I thought this amendment would, even in the remotest way or in the slightest degree, interfere with the war effort, I would be opposed to it.

Mr. LUCAS. I congratulate the Senator and his committee in attempting to do what they are doing, but sometimes

we can go, it seems to me, perhaps, a little too far in our zeal to save. That is the only reason I rose, for I know what contribution the Tennessee Valley Authority has made to the war effort, and I would be the last one in the world who would do anything, even to the extent of taking one automobile away from them which would, in anywise, cripple the war effort which is being made in that great valley.

Mr. McKELLAR. If I had the slightest idea that it would cripple the war effort, I should not favor the amendment. The Authority, however, has 763 passenger cars and adequate provision for their upkeep. It has a force to keep them in repair and the necessary materials and mechanical devices for the upkeep of the cars. At a time such as this, when we have no rubber in the country, when many materials are on the priorities list and are difficult to get—and I doubt if tires could be bought—surely, under these circumstances, the Authority should not be allowed to buy automobiles at a time such as this.

Mr. BARKLEY. Mr. President—

Mr. McKELLAR. I yield to the Senator from Kentucky.

Mr. BARKLEY. I have tried to run through the testimony of Mr. Clapp, the general manager of the T. V. A. The Senator asked Mr. Clapp the number of cars on hand at the time, I think, of his testimony, which was 763. The Senator asked him the average number, which Mr. Clapp fixed at 500 and some, which would indicate that the number now needed has been increased, probably because of new developments there. Did the Senator ask Mr. Clapp or anyone else connected with the T. V. A. to what extent the use of automobiles might be curtailed or to what extent it would cripple their activities or offer a serious handicap if they were denied the right to purchase any more cars?

Mr. McKELLAR. They were given every possible opportunity to do it.

Mr. BARKLEY. The Senator drew out from him how many cars they had, but the hearing does not disclose that there was any discussion with anyone connected with the T. V. A. as to denying them the right to purchase any cars at all.

Mr. McKELLAR. I will read further from the testimony. Mr. Clapp said:

Those cars are not assigned to individuals. Those cars are pooled at various garages, at important points of operation.

They have garages and mechanical appliances for the repair of the cars in order to keep them in proper shape. I quote further from the testimony:

Senator McKELLAR. Your commissioners, the members of the Authority—the three members of the Authority do not have cars?

Mr. CLAPP. They do not have cars other than their personally owned cars. They, of course, use the Tennessee Valley Authority cars on official business.

Senator McKELLAR. They use Tennessee Valley Authority cars on official business?

Mr. CLAPP. Yes.

Senator McKELLAR. Do they use gasoline in their cars all the time, regardless of official business?

Mr. CLAPP. They do not use Tennessee Valley Authority cars for other than official business, and, of course, the gasoline and oil and

expense of maintenance on those cars is a part of the cost of that official travel.

Senator McKELLAR. Does not each man have a car, each official have a car, all the way down the line? Do you not have a car?

Mr. CLAPP. You mean a personal car?

Senator McKELLAR. Yes; do you not own a car?

Mr. CLAPP. I own a car, Senator, but I do not—

Senator McKELLAR. Do you have a chauffeur?

Mr. CLAPP. No; I do not have a Tennessee Valley Authority car assigned to me; but if I want to use a Tennessee Valley Authority car on official business—

Senator McKELLAR. You use one of the cars?

Mr. CLAPP. I use one of the Tennessee Valley Authority cars.

Mr. BARKLEY. That still does not answer my question, which is whether the committee discussed with anyone connected with the T. V. A. the question of denying them the right to buy a new car and what the effect of such action would be.

Mr. McKELLAR. The committee had the officials of the T. V. A. before it time and again, as I recall. I know they were before us two or three times. The question of cars was discussed. The particular question suggested by the Senator from Kentucky, so far as the evidence disclosed, was not asked, but the T. V. A. officials were given every opportunity in the world to make any claim they wanted to make about cars.

Mr. BARKLEY. Mr. Clapp and others in the T. V. A. could not anticipate, I imagine, what in executive session the committee might do in denying the Authority the right to purchase cars.

Mr. McKELLAR. They could anticipate what the committee thought about it from the questions which were asked them. If Mr. Clapp could not understand what was proposed, then someone else ought to be made manager of that organization.

Mr. BARKLEY. I want to get the facts.

Mr. McKELLAR. I am giving the Senator the facts.

Mr. BARKLEY. Not quite; I mean the Senator has not stated as yet whether any member of the committee asked anyone connected with the T. V. A. what the effect would be on their program of denying them the right to buy a single automobile during the year.

Mr. McKELLAR. I do not think that question was asked as the Senator suggests it; but, in effect, it was before the officials of the T. V. A. They were asked to present any matter that they wanted to present, and they did so.

Mr. BARKLEY. They could not present a matter that was not specifically brought to their attention. It was entirely proper for the committee to ask how many cars they had, and it would have been proper, I think, and fair to have asked what effect it would have on their operations to deny them the right to buy an automobile. I do not see how the T. V. A. could have anticipated, in the absence of any inquiry of that sort, that the committee was then going to deny them the right to purchase a car. It may be that the committee did not think it necessary to get that informa-

tion. Evidently they did not, for they did not obtain it.

Mr. McKELLAR. Mr. President, I ask for a vote.

The PRESIDING OFFICER. The question is on the committee amendment. [Putting the question.] The yeas seem to have it.

Mr. McKELLAR. I ask for the yeas and nays. Let us see where we are going.

Mr. BARKLEY. I suggest the absence of a quorum.

Mr. McKELLAR. Will the Chair state whether the yeas and nays have been ordered?

The PRESIDING OFFICER. The Chair is in doubt about the number demanding the yeas and nays. The Chair will inquire if there is a second to the demand.

The yeas and nays were not ordered.

Mr. McKELLAR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Glass	O'Mahoney
Andrews	Green	Pepper
Austin	Gurney	Radcliffe
Bailey	Hayden	Reed
Ball	Herring	Reynolds
Bankhead	Hill	Rosier
Barbour	Holman	Russell
Barkley	Hughes	Schwartz
Bilbo	Johnson, Calif.	Shipstead
Bone	Johnson, Colo.	Smathers
Brewster	Kilgore	Smith
Bulow	La Follette	Spencer
Bunker	Lee	Stewart
Butler	Lucas	Taft
Byrd	McCarran	Thomas, Idaho
Capper	McFarland	Thomas, Okla.
Caraway	McKellar	Tunnell
Chandler	McNary	Tydings
Chavez	Maloney	Vandenberg
Clark, Idaho	Maybank	Van Nuys
Clark, Mo.	Mead	Wagner
Danaher	Millikin	Wallgren
Downey	Murdock	Walsh
Doxey	Murray	Wheeler
Ellender	Norris	Wiley
Gerry	Nye	Willis
Gillette	O'Daniel	

The PRESIDING OFFICER (Mr. McFARLAND in the chair). Eighty Senators having answered to their names, a quorum is present.

Mr. McKELLAR. Mr. President, I have concluded to make a general statement about the Tennessee Valley Authority. In the first place, I desire to give a brief history of the building of the dams on the Tennessee River.

In the year 1916 I was a Member of the House of Representatives, and a member of the Committee on Military Affairs, which committee had charge of matters relating to rivers and harbors. After a consultation with Mr. Oscar W. Underwood, who had been for many years a Member of the House, but who was then a Member of the Senate, I offered an amendment to a bill in 1916—and I hope Senators will remember the date—providing for the building of a dam at Muscle Shoals, on the Tennessee River.

The Committee on Military Affairs, of which Mr. James Hay, of Virginia, was chairman at the time, adopted the amendment and it went to the House, but when it reached the floor of the House, Mr. John C. McKenzie and Mr. Nicholas Longworth both opposed the

amendment very vigorously. They did not want the improvement at Muscle Shoals made. They fought the amendment well, because both were able men and splendid gentlemen. They had a different view about it from my own, and they defeated the amendment on the floor of the House, as the record will show.

The bill then came to the Senate, and Mr. Underwood continued his interest in the matter, as I did. For some reason the bill did not go to the Committee on Military Affairs in the Senate, but was referred to the Committee on Agriculture and Forestry. At that time the senior Senator from South Carolina [Mr. SMITH] was a member of that committee, of which he subsequently became chairman. This was during the first Wilson administration. The Senator from South Carolina introduced a bill, which was a tremendous improvement over the amendment I had offered in the House. His bill, as enacted, provided in part—

SEC. 124. Nitrate supply. (June 3, 1916 (39 Stat. 215), sec. 124.)

The President of the United States is hereby authorized and empowered to make, or cause to be made, such investigation as in his judgment is necessary to determine the best, cheapest, and most available means for the production of nitrates and other products for munitions of war and useful in the manufacture of fertilizers and other useful products by water power or any other power as in his judgment is the best and cheapest to use; and is also hereby authorized and empowered to designate for the exclusive use of the United States, if in his judgment such means is best and cheapest, such site or sites, upon any navigable or nonnavigable river or rivers or upon the public lands, as in his opinion will be necessary for carrying out the purposes of this act; and is further authorized to construct, maintain, and operate, at or on any site or sites so designated, dams, locks, improvements to navigation, powerhouses, and other plants and equipment or other means than water power as in his judgment is the best and cheapest, necessary or convenient for the generation of electrical or other power and for the production of nitrates or other products needed for munitions of war and useful in the manufacture of fertilizers and other useful products.

The President is authorized to lease, purchase, or acquire, by condemnation, gift, grant, or devise, such lands and rights-of-way as may be necessary for the construction and operation of such plants, and to take from any lands of the United States, or to purchase or acquire by condemnation materials, minerals, and processes, patented or otherwise, necessary for the construction and operation of such plants and for the manufacture of such products.

The products of such plants shall be used by the President for military and naval purposes to the extent that he may deem necessary, and any surplus which he shall determine is not required shall be sold and disposed of by him under such regulations as he may prescribe.

The President is hereby authorized and empowered to employ such officers, agents, or agencies as may in his discretion be necessary to enable him to carry out the purposes herein specified, and to authorize and require such officers, agents, or agencies to perform any and all of the duties imposed upon him by the provisions hereof.

The plant or plants provided for under this act shall be constructed and operated solely by the Government and not in conjunction with any other industry or enterprise carried on by private capital.

The complete act is set out in the hearings. It is the law of the land to this very day.

Mr. President, I digress at this point to say that no one ever thanked another more than I thanked the distinguished Senator from South Carolina [Mr. SMITH] for putting the provision I have read into the bill which was passed in that year. After its passage and after the bill was signed by the President of the United States, the then Senator from Alabama, Mr. Underwood, who had been a candidate for President against Mr. Wilson in the preceding campaign, was in doubt as to how the President felt toward him. He came to my office and I regarded his visit as a very great honor. Mr. Underwood had been the leader of the Democrats in the House. He had come to the Senate in 1914, as I remember, and had taken a high position in the Senate of the United States. When he came to my office and invited me to go with him to call on the President of the United States in an endeavor to get the dam located at Muscle Shoals, I regarded it as a very high compliment to me, and I still do.

We went to see the President. Senator Chamberlain, of Oregon, one of the predecessors of my distinguished and splendid friend who sits in front of me now, the present Senator from Oregon [Mr. McNARY], was then chairman of the Military Affairs Committee of the Senate. He had already seen the President in the interest of having the dam built on the Columbia River. Mr. Underwood and I had a most pleasant interview with the President, and he agreed that the dam should be placed at Muscle Shoals.

There may have been others who went to ask the President to place the dam at Muscle Shoals. This dam was authorized by the act introduced by the distinguished Senator from South Carolina [Mr. SMITH], one of the oldest Members in this body, and one of the finest men in the United States Senate or elsewhere. I wish to say that I took off my hat to him then; I honored and respected him then; and in the long years which have passed I have always honored and respected him because I think he did a great service to the people of the United States in having the dam, which was afterward known as the Wilson Dam, established at Muscle Shoals. The senior Senator from Nebraska [Mr. NORRIS] had been in the House—a very able and splendid Member of the House—and at that time, as now, was progressive in his views.

I am not sure whether he took an active interest in the passage of that first bill, but, knowing him as I do, I believe he did take an active interest in that bill, because when I came to the Senate the leading antagonist to the trusts of the country, and especially the Power Trust, was GEORGE W. NORRIS, and he has continued to be through all the years he has been in the Senate.

What happened then? The Government had nearly finished building the dam by 1920. The war was over, it is true, but the dam was to be used both for military purposes and for production of

fertilizer for agriculture. We had obtained appropriations up to 1921, but when we endeavored to obtain appropriations in 1921, the Appropriations Committee, under the leadership of Mr. Smoot, a very able and efficient member of the Appropriations Committee, turned down the request for an appropriation for completion of the Wilson Dam. Senator Smoot said it would be throwing good money after bad money—I remember that expression was used time and again in the debate—and the Senate upheld his contention. Work was discontinued on the dam. There was not much more to be done, fortunately, and afterward the dam was completed, and this is the reason it was completed: About that time Mr. Ford, thinking it was junk, offered a small sum for it. His offer did not amount to a row of pins, and, incidentally, I, myself, at one time thought that probably was the best way to handle the matter. But the Congress would not give it to Mr. Ford on his terms, and afterward he withdrew his offer.

That was about 1922 or 1923, or perhaps 1921. It is a long time ago, and I cannot be accurate with respect to dates. The Senator from Nebraska [Mr. NORRIS] had introduced a bill to develop the Tennessee River. I had also introduced a similar bill. But the difference between our positions in the Senate was very great indeed at that time. The Senator from Nebraska was the distinguished and able chairman of the Committee on Agriculture and Forestry. We had introduced practically identical bills. We continued to introduce them until Mr. Roosevelt became President. We did not get very far with either of our bills. Of course, I upheld the bill introduced by the Senator from Nebraska, because it offered the only chance under God's heaven to obtain legislation on this subject.

The only way we could get the legislation we wanted was to accept the bill introduced by the distinguished chairman of the Committee on Agriculture and Forestry. Besides, it was exactly the same kind of bill that I had introduced and that a number of other Senators had introduced, and we made the fight for it.

The Senator from Nebraska and I had one difference, if the Senator does not mind my recalling it. We fought together all along the line except once. The only time we differed was with respect to the amount of compensation which should go to the States which were involved. The Senator from Nebraska was unwilling to accept the provision which is now in the bill on that subject. I have forgotten its exact terms. The law contains a provision with respect to compensation to the State of a certain percentage of the receipts in money for power. Because the Senator from Nebraska left out Tennessee and Alabama entirely, we differed about the bill, but he won, and his bill was passed and went to President Coolidge, and the President vetoed it.

The next year the Senator accepted my amendment, which was placed in the bill, and the bill was passed again, and President Coolidge again vetoed the bill.

That was the situation in which we found ourselves. Of course, Mr. Hoover was not for the bill.

In the meantime, however, we did get an appropriation for the construction of the dam. Mr. Ford's offer resulted in our getting the appropriation. About that time the senior Senator from Virginia [Mr. GLASS] became a member of the Appropriations Committee. The Senate was good enough to place me on the Appropriations Committee, and, with many other Senators who felt as we did, we obtained the necessary appropriation for completion of Wilson Dam, and it was completed.

I shall not talk long about what happened when Mr. Roosevelt was elected President, but he was very much interested in Muscle Shoals and the Tennessee Valley. He thought it was a marvelous place to try the experiment. He went to Muscle Shoals and invited certain Senators and Representatives to go along with him. I cannot remember who they all were, but I remember some of them. One was my distinguished colleague, then Senator Hull, now Secretary of State. Incidentally, he was tendered the position of Secretary of State on that trip. Senator Hull, Senator NORRIS, and I were three members of the party. I am not absolutely sure who the other members of the party were. Their names were in the newspapers. Our pictures were taken with the President. On that trip the President went even further than we had asked him to go. He had a plan all laid out. In it he went further than we had gone. Even as active and vigorous as Senator NORRIS and I were in our advocacy of the dam, the President went even further than we did. He offered to set up a special authority with direction to build the dams contemplated. I do not know who actually prepared the bill; but, as a matter of fact, it contained primarily the ideas of the President on that subject. It was passed overwhelmingly by the Congress, and in a short time the Norris Dam was started. Not long after that, I think it was the next year, the Wheeler Dam was authorized and started.

I wish to say one word about the members of the Authority. After the passage of the bill I talked with President Roosevelt. I am quite sure he did not mention members of the Authority to me, but I mentioned them to him. I am not sure, but I am rather inclined to think he asked me about the Authority. That may or may not be. My recollection is somewhat vague about it, but that is immaterial.

I said to the President, "You have done a great thing for my State. I shall not even make a suggestion about any member of the board. Appoint whomsoever you like." He appointed three men. He appointed Dr. A. E. Morgan. He took Dr. A. E. Morgan out of obscurity and made him Chairman of the Tennessee Valley Authority. I do not mean to reflect on the doctor. I think he does the best he can. I do not think he was the man for the place, but he was made chairman. The President also appointed Mr. Lillenthal and Dr. H. A. Morgan, a splendid Canadian, who went to Tennessee and became the head of the depart-

ment of agriculture of that State and was afterward made president of the State university. He was quite an elderly man. Being an elderly man myself, I can say that of some one else. He is not as active a man as he used to be, and he was not a very active man on the Commission.

Mr. CLARK of Missouri rose.

Mr. McKELLAR. I will yield to the Senator in a moment.

Dr. A. E. Morgan was a very inefficient man. I am stating a little history. After the Norris Dam was well under way—and at that time Dr. Morgan said it was to be merely a storage dam—and after the Wheeler Dam, which is near Muscle Shoals, was begun, Dr. A. E. Morgan happened to be in my office. It was not often that any of them ever came to see me. I do not know why they seemed to resent my being a Senator from Tennessee, but that was immaterial, so it did not make any difference to me.

Mr. CLARK of Missouri rose.

Mr. McKELLAR. I will yield to the Senator in a moment.

Mr. CLARK of Missouri. I do not wish to interrupt the Senator. I would rather listen to him.

Mr. McKELLAR. Dr. A. E. Morgan came to my office. Sitting across the desk from him I said, "Doctor, why is it that you have not recommended any more dams on the Tennessee River?" He said:

The underlying thought and principle of the Tennessee Valley Authority is not to build power dams in competition with private companies. All we are asked to do in that regard is to build two or three dams—and we are to have three—to form a yardstick by which private power companies will be taught what is a proper price to charge for power. The great underlying principle of the Tennessee Valley Authority was to reach down and lift up the poor, ignorant Tennessee mountaineers and put them on a comparative equality with the other people of this country.

I represented those people, and Senators can imagine what I said to him. I told him that he had me to fight as long as I was a Member of the Senate. He said that he was opposed to building the dams, and that Mr. Lillenthal agreed with him.

At that time the Board was divided in this way: Dr. A. E. Morgan was Chairman and Mr. Lillenthal was vice chairman. They controlled the T. V. A. Dr. H. A. Morgan was placed on the shelf, and he just went along.

When Dr. A. E. Morgan told me what the purpose of the T. V. A. was, as he understood it, and that he was not going to build any more dams, we parted company at that time. As I recall, I saw Dr. A. E. Morgan only once after that. I recall only one other visit.

I made up my mind very quickly what to do. So far as the record shows, the T. V. A. did not recommend any more dams. As a matter of fact, it recommended only two. The other one had been built in a previous administration. I do not know whether the T. V. A. recommended the Norris Dam. I think it was arranged by unanimous consent, but it was the first one built. The Wheeler Dam was recommended, but no more. The T. V. A. did not recommend it to the Bureau of the Budget. The Bureau

of the Budget did not recommend it to the President, and the President did not recommend it to the Congress. The House did not pass a provision for another dam that year. That was in 1934. Keep that in mind.

The T. V. A. was opposed to building any more dams. If I remember correctly, in 1934 the question first came up in connection with the Pickwick Dam. When the bill came to the Senate without provision for any dams, I offered an amendment requiring the T. V. A. to build the Pickwick Dam. I think the Senator from Virginia [Mr. GLASS], the Senator from Oklahoma [Mr. THOMAS], the Senator from Arizona [Mr. HAYDEN], and other members of the Appropriations Committee will bear me out in which I am about to say. I offered an amendment requiring the T. V. A. to build the Pickwick Dam. The amendment was adopted by the Senate, and when we reached the stage of conference we had a big fight over it, and held the bill up for quite a while, but the amendment stayed in, and the Pickwick Dam was started the next year.

Still realizing the opposition of Dr. A. E. Morgan and Mr. Lillenthal to the dam, what happened next year when the question came up? Again there was no recommendation. The T. V. A. did not recommend any dams. The Bureau of the Budget did not recommend any dams. The President did not recommend any. The House passed the question by without a word. When the bill came over to the Senate I offered an amendment, which was printed at the time, which provided that the T. V. A. should build the Guntersville (Ala.) Dam, the Chickamauga Dam near Chattanooga, and the Hiwassee Dam not far from Chattanooga. I believe the exact site is in North Carolina, but it is near Chattanooga in the mountains; also the Aurora Dam in Kentucky, which is now called the Gilbertsville Dam, and which is just across the Kentucky line. Shortly afterward the site was fixed a little way down the river and it became the Gilbertsville site.

That was the time Dr. Morgan came to my office. I did not know until afterward that he had been here for 3 or 4 weeks lobbying with my colleagues on the committee against building any of these dams. When he found out that the provision was going to be adopted by the committee, he came to my office and told me that he was perfectly willing that the Guntersville, Chickamauga, and Hiwassee Dams should be built, but that he wanted a little longer time to fix an exact site for the Kentucky dam. I am sorry the Senator from Kentucky [Mr. BARKLEY] is not present at the moment, because if he had depended upon Lillenthal and Morgan for dams he would not be bothered about dams today.

What happened? Dr. A. E. Morgan said that he was perfectly willing to agree to the first three dams if I would postpone the Gilbertsville Dam until a later date. I told him that might be all right, and that I would look into the question. I told him to write out the kind of amendment he wanted. Incidentally, I have his amendment, in his own handwriting, today. It is in my files. He wrote it in pencil and called me from the

next room when he had finished, as I had asked him to do.

After making that agreement, the next morning, when I went before the committee—I have no doubt the Senator from Virginia [Mr. GLASS] will remember it, because he was on the subcommittee as well as the full committee—I said, "I have all my dam sites settled. Dr. Morgan and I have agreed to build three, and let Gilbertsville go for another year, because he wants a little more time." I never got such a laugh in my life. The Senator from Virginia, former Senator Byrnes—who is a distinguished and able member of the Supreme Court of the United States and who was then a Senator and a member of the committee—and my other friends on the committee laughed at me. They said, "Dr. Morgan has been around lobbying against all of them this very afternoon." He had agreed with me in the morning.

The committee agreed to the three dams, and Dr. A. E. Morgan had the audacity to call me up the next day about 11 o'clock to find out what had happened. I told him that I had heard that he had been lobbying, that I would have a man at the Union Station that afternoon, and that if he was not on the train I would denounce him on the floor of the Senate the next day. He and Lilienthal fought and lobbied. Perhaps I should not say that Lilienthal lobbied, but Dr. A. E. Morgan was representing the two of them. He lobbied against the building of the Pickwick, Guntersville, Hiwassee, Chickamauga, Watts Bar, Fort Loudoun, and Gilbertsville dams.

Five of those dams have been built through amendments originating in the Senate committee, agreed to by the Senate, and agreed to in conference. The only ones which have not been completed are the Fort Loudoun Dam and one other. Today we should be in a bad predicament if those five dams were not producing power. They were built despite the opposition of the two responsible officers of the T. V. A.

What happened? I know there is not a Member of the Senate who has not read the celebrated novels of Dickens, written over a hundred years ago. I am sure that all of us are familiar with Uriah Heep, a character mentioned in one of Dickens' novels. If ever there was a modern Uriah Heep in the flesh, it is this man Lilienthal. He was the meekest and mildest man in all the world until he became Chairman of the T. V. A., but now he has become one of the greatest warriors in the world, and a man who can do no wrong. He is a Harvard man, and he cannot possibly do any wrong. Everything he does is right; and anyone who does anything contrary to what he thinks is right is a scoundrel.

Mind you, this man claims to be the Authority. He talks as an authority on national defense and what the Authority is doing for national defense. Speaking of authorities and of what the Authority is doing for national defense, suppose Mr. Lilienthal's plans and those of A. E. Morgan had been carried out. Today

we should not have the five dams which now are furnishing power for the manufacture of aluminum in that area.

Since I am referring to the history of the T. V. A. I might furnish a little more: Five or six years ago—I cannot say exactly when it was—we had in Tennessee a native Blount County man by the name of A. D. Huddleston, who is one of the finest men I know—straightforward, honorable, and high-minded in every way. Many years ago he became connected with the Aluminum Co. when it was established down there, and by successive step-ups he became its general manager.

One day he came into my office, the most excited man I ever saw. We had been personal friends. He said that he had a piece of information which he thought I ought to have. I said, "All right; let's have it." He said that the board of directors of the Aluminum Co., at Pittsburgh, had sent for him and asked him to come there. When he went there they told him that they were in doubt about where to locate a very large plant; that they had finally got down to the question of whether they would locate the plant in Canada; right across from Niagara Falls, or whether they would locate it at Alcoa, in Blount County, Tenn. They said, "We want to say to you that it is a question of power. We have tried for a long time to make a deal with the Tennessee Valley Authority to obtain run-of-the-river power which now is going to waste; and if we could get them to agree to furnish it at anything like a reasonable price, we would prefer to locate the plant in Blount County."

Mr. Huddleston, being a good friend and an admirer of mine, said, "Senator, you can help us out." I always want to help out my friends, my country, and my State. I thought it would be a fine thing to have the plant located there. This is the course I took: I think the first man I went to was the Senator from Nebraska [Mr. NORRIS]. I told him that Mr. Lilienthal would not deal with Mr. Huddleston; that we had built the plants, and that the water was running away and going to waste. What is known as the secondary power was running to waste and being lost. As I remember, this concern was willing to pay about \$2,000,000 a year—perhaps a million and a half the first year, then \$2,000,000 a year, and afterward perhaps more.

The Senator from Nebraska agreed with me. He thought it would be perfectly right, and I thought it would be perfectly right—if I had not thought so I would not have suggested it to him—for the Tennessee Valley Authority to sell run-of-the-river power to the concern which wanted it. At that time the T. V. A. did not have the tremendous number of customers it now has. I went to the President of the United States, and suggested to him that I hoped he would have a word to say to Mr. Lilienthal so that the contract could be made. It was made; and Lilienthal is the man who is talking about this bill.

I should like to say something which all Members of the Senate know. The Sena-

tor from Nebraska has always been a progressive; he is level-headed; he is a kindly man. He has done everything humanly possible to aid the development of this great project in my State. I am under great obligation to him, and my State is under great obligation to him, because the Tennessee River development has been a great public improvement. I took off my hat to him when he first came to our help in 1921, and I take off my hat to him today for the magnificent work he has done.

Of course, my work has not been so prominent, because I did not introduce that bill. I have been a humble worker in the cause. I have given the best years of my life and the best thoughts of my brain to this cause. I have done more work for the Tennessee Valley Authority than for anything else for which I ever worked in my life, yet this man, Lilienthal, who was opposed to the building of the seven dams, has the effrontery to travel in an airplane all over Tennessee, Alabama, and Mississippi, denouncing me for being an enemy of the T. V. A., when God knows that if ever a man believed a thousand percent in an organization, I believed a thousand percent in the T. V. A. It has done wonders for my State. It has done wonders for my country, and there is nothing honest and right that I would not do to forward it.

I remember that my friend the Senator from Virginia did not always agree with me about these dams. He had misgivings about them. He acted generously toward me every time I ever went to him; but he knows, the Senator from Oklahoma [Mr. THOMAS] knows, and every other member of that committee knows the difficult time I had in getting these dams. My friend the Senator from Oregon [Mr. McNARY] knows it, too, because I had to appeal to him by night and by day to help me. I appreciate what he did. I appreciated it then, and I appreciate it now. He obtained a vote when I did not think I should ever get one; and I have never failed to vote for dams in Oregon in which he is interested [laughter], because I thought I owed my friend a debt of gratitude and owed my country a duty in helping to build such dams.

For 26 years—from 1916 to 1942—I have been fighting to upbuild the Tennessee Valley. I told my friends that that project would be honestly managed and that the work would be honestly performed. I should be an ingrate toward the members of the committee and toward the Senate if I did not do my utmost to have that promise fulfilled. That is all that I am asking to have done.

By the way, that brings to my mind a very remarkable thing to which I wish to direct attention. I ask the Senate to hear me for just another moment, and then I shall pass on to the exact language in the bill. I am being denounced as having undertaken to injure the T. V. A. because of some difference I had with Lilienthal about a dam known as the Douglas Dam. That is one of the charges made against me. I did not put this language in the House bill; I did not undertake to change the law. Who did? I want to find out today if I can.

Under the law as it will be after July 1, T. V. A. receipts will have to be put into the Treasury of the United States, if we do not have any other law on the subject. What is proposed and who proposed it? The House bill has this language, and I wish every Senator would turn to the House bill, which is on their desks, and read it, as I proceed. Let us see who started this thing.

Mr. SMITH. From what page is the Senator about to read?

Mr. McKELLAR. I am about to read from page 72. After the appropriation of \$136,000,000 for building new dams there is found in the bill this proviso:

Provided, That this appropriation and any unexpended balance on June 30, 1942, in the "Tennessee Valley Authority fund 1942," and the receipts of the Tennessee Valley Authority from all sources during the fiscal year 1943 (subject to the provisions of section 26 of the Tennessee Valley Authority Act of 1933, as amended)—

Listen to this language—slick, smooth, ingratiating. It reminds me of another character in literature. Mr. President, do you remember "Oily" Gammon? Listen to this language, and then think of "Oily" Gammon, who was portrayed in Warren's novel, Ten Thousand a Year—shall be covered into and accounted for as one fund to be known as the "Tennessee Valley Authority fund, 1943," to remain available until June 30, 1943, and to be available for the payment of obligations chargeable against the "Tennessee Valley Authority fund, 1942."

In other words, while we have spent about three-quarters of a billion dollars on T. V. A.—I will get the exact figures—those in charge of it, after the expenditure of three-quarters of a billion dollars, are now producing a revenue of between twenty and thirty billion dollars a year. It will be remembered that they bought a number of other companies in several of the States, among them the Commonwealth Co.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. McNARY. I think this is an appropriate place to have an expression from the Senator of his construction of the House language.

Mr. McKELLAR. Yes, sir.

Mr. McNARY. The provision the Senator read provides that the receipts shall be covered into the Treasury of the United States as a special fund which is maintained by the Tennessee Valley Authority.

Mr. McKELLAR. It is covered into a special fund; that is the real meaning of it—a special fund on which Mr. Lillenthal may check whenever he pleases, without the consent of the Congress.

He does not want to be restricted by such a body as this; he does not want to be confined; he does not want to be hampered; he wants the power to draw on the fund whenever he desires to do so. By the way, I call the Senate's attention to a document much of which, I am afraid, has long since gone into what Cleveland called "innocuous desuetude," or, in other words, become out of date, but, according

to the Constitution of the United States—

Mr. McNARY. May I again interrupt the Senator?

Mr. McKELLAR. I wanted to answer the Senator's question, but I shall be glad to yield.

Mr. McNARY. I will forego the interruption.

Mr. McKELLAR. No; I am glad to yield to the Senator.

Mr. McNARY. I am waiting for the answer. In reading this provision the Senator laid emphasis on a certain portion which indicated the construction which he placed on the language. It is clear to me that it keeps within the entity of the Tennessee Valley Authority the control of the funds.

Mr. McKELLAR. It may be clear to the Senator, but it is not very clear to me. I had to study it quite a while before I could make it out, but, of course, I am a very obtuse sort of a man and cannot catch on to such things so quickly as can my good friend from Oregon.

Mr. McNARY. I shall not argue that observation at all, but it is plain to me. I have only read it once, but it stipulates that the funds shall be kept within the control and power of the Tennessee Valley Authority.

Mr. McKELLAR. That is exactly what it does.

Mr. McNARY. Of course, if that is not true, what is the use of the Senator's amendment?

Mr. McKELLAR. I have not any amendment. I favor striking out the House provision, because it sets up a plan to enable Lillenthal to draw money out of the Treasury in violation of the Constitution of the United States and without the consent of the Congress. That is what I am objecting to, and that is why the Appropriations Committee struck out the House provision.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. CLARK of Missouri. It is a fact, is it not, that the Tennessee Valley Authority is not subject to the scrutiny and regulations of the General Accounting Office which apply with regard to every other agency of the Government? Now Lillenthal wants to go a little bit further, take one more bite, and have a special account from which he can appropriate any time he wants to do so without any authority from Congress whatever.

Mr. McKELLAR. Of course that is true. I wish to say he goes further than that.

Mr. McNARY. Mr. President, may I make it clear—for myself at least—that that authority is now vested in the Tennessee Valley Authority?

Mr. McKELLAR. Only until July 1.

Mr. McNARY. It can control its own funds.

Mr. McKELLAR. Only until July 1. There was a similar provision in the law last year.

Mr. McNARY. This is simply a repetition of the existing law and practice.

Mr. McKELLAR. No; it is the practice, but not the law.

Mr. McNARY. But the Senator's proposal—I am not going to argue its merits—asks that we set aside a rule of the Senate and have this money placed in the Treasury of the United States, from which the only way it can be distributed is by act of Congress. That is the whole difference between the situation now, on July 1, and in the future.

Mr. McKELLAR. If the committee amendment is agreed to, then, of course, Mr. Lillenthal, if he obeys the law, will have to pay some twenty-odd million dollars into the Treasury and come to the Congress, as every other department of the Government has to come, to get an appropriation. That is all there is to this amendment.

Now, I wish to say a word about another man, with whom I have likewise not always agreed.

Mr. TYDINGS. Mr. President, will the Senator yield before he leaves that point?

Mr. McKELLAR. If the Senator will wait a few moments, I shall then yield to him. This morning the distinguished Senator from Arizona [Mr. HAYDEN] conducted hearings on the Interior Department appropriation bill. I happen to be a member of the subcommittee considering that bill, but when I reached the committee room—I was a little late, I am sorry to say—Secretary Ickes was testifying. Upon the completion of his testimony, I asked him several questions. I said, "Mr. Secretary, you have the great Central Valley light and power project under you, have you not?" He said, "Yes." I said, "You have the great Bonneville Dam project, on the Columbia River, under you, have you not?" He said, "Yes." Then I said, "You have the Grand Coulee Dam under you, have you not?" He said, "Yes." I said, "Do you have to get estimates from the Director of the Budget and then come before the committees of Congress and explain what you want to operate those dams?" He said, "Yes." I said, "What do you do with the receipts you derive from those projects? Do you pay them out as you see fit?" He replied, "No." I asked, "What do you do with them?" He answered, "I put them into the Treasury of the United States as general receipts." I said, "Are you handicapped in any way; are you hampered in any way; have any dire or awkward results of any kind followed from your doing that?" He answered, "No. I do not always get all I want when I come to Congress, but I usually get what is necessary." That was his testimony.

Why should we treat the Tennessee Valley Authority—no; I will not use that term, because it is David Lillenthal, the man—why should we treat him differently from the way in which we treat these reclamation projects? Why should we establish one rule in Oregon, one rule in Washington, one rule in California, and another rule in Tennessee and Alabama, so as to give the Chairman of the T. V. A. the right to handle these funds as he desires, without any control by Congress?

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. TYDINGS. Aside from the point of principle involved in the contention here, has the Senator available, and will he give it to the Senate if he has it, any information as to how Mr. Lillenthal has used these receipts? Has he used them to undertake entirely new projects not authorized by Congress, or to expand existing projects, or to buy transmission lines? How have these funds been used by Mr. Lillenthal?

Mr. McKELLAR. I shall be glad to take that matter up at this time. We have been discussing the subject of travel pay in connection with the bill before us, and I wish to recur to that subject. We have had our attention called to little mites of travel pay in connection with the departments.

Mr. President, I think I can take newspaper criticism almost as well as anyone else in the world. It sometimes gets under my skin, sometimes makes me very unhappy for a little while when I see it and read it, but I try to realize that we cannot please everybody, and that someone must be against us. But Mr. Clapp, manager of T. V. A., last fall, when I doubted the wisdom of covering up all the farm land in one of the valleys in east Tennessee, came out in the most vitriolic attack that was ever made on me. He got a man by the name of Pasley, who, I believe, lives in Washington, to write the article for him, but he gave out the interview, and actually they used quotations. I think it was the most vitriolic attack that was ever made on me. They denounced me for everything that was corrupt and dishonest.

Let me say to the Senator from Maryland that I will answer his question in a moment, but I have something which I must say now.

This man stated that the T. V. A. has 35,000 political plums, if they got into the hands of Senator McKELLAR. Now let me say a word or two about that. I have been in politics in Tennessee for over 30 years. In the last 15 years of that time I think the highest vote that was ever cast against me, in either primary or general election, was fourteen thousand and some hundred out of about a quarter of a million or so, sometimes 300,000 or thereabouts. The vote has been exceedingly complimentary to me. About 14,000 in the State voted against me, I think, at the last election, or the election before the last, and that was the highest in a long period of time, about 12 or 15 years.

I am getting along in years, as I stated a while ago, and for me to start now to build up a political machine would seem to be a very foolish undertaking. Why should I want to appoint 35,000 people in the place of the 35,000 now in the T. V. A., when I believe that at least 90 percent of them vote for me now? Would I not be crazy if I should want to do a thing like that? Would not any man be utterly crazy to have such a desire? With only 14,000 people voting against me in the State, I am the most grateful man in the world to my friends in Tennessee who have thus stood by me for all the years. I have not suffered a defeat in that time. Perhaps I had better

"knock on wood," because I understand Lillenthal and this man who comes from Texas and Illinois and Tennessee and Maryland, Silliman Evans, who went to Nashville a year ago and bought a newspaper there, have made an agreement to put me out of politics; and I think the report must be true.

I do not think it is necessary for me to say to the Senate that I have no political ambition. I do not want 35,000 plums. I would not undertake to have an organization like this at my time of life. Most of the 35,000 now vote for me, all of them, I think, except a few whom Lillenthal can keep from voting for me; and there are very few of those. I doubt if there are a thousand in the whole Tennessee Valley Authority who vote against me. I carried every county in the State in the 1940 election. I carried Knox County, where the T. V. A. is located, by about 10 to 1. Why should I want to change a political situation of that kind? Why should I want to undertake such a thing? I have no one I desire to appoint. Where could I find people to appoint? I have been trying to get an assistant secretary for some time, and have not been able to get one yet, though I will sooner or later, I hope. I want to get a Tennessean, and I am trying my best to get a Tennessean. How in the world could I undertake to do what this man says I would do?

I want to call attention to what he says. I ask Senators to listen to what I am about to read. This man is going around in an airplane, paid for by the Government, paid for from the very appropriation which I helped get through last year, and it is going to be paid for out of the appropriation we are about to make. Listen to this, from the Memphis Commercial Appeal of the 24th of April, just a short time ago:

Lillenthal attacks McKELLAR's Tennessee Valley Authority bill. Asserts it would be worst blow agency could suffer. Talks to Tupelo group—

That is in Mississippi—

Talks to Tupelo group. Chairman of Authority declares passage of measure would turn 35,000 jobs into political plums.

If anyone thinks I am going to fool with 35,000 jobs, or 3,500 jobs, or 35 jobs, or a single job, in the T. V. A., he is merely thinking about something which I have not the slightest intention of doing. I have not lost my mind, I know.

Mr. McNARY. How about "plums"?

Mr. McKELLAR. There would not be any "plums" for me. I cannot imagine a harder job a man could have, and certainly I would not undertake it.

I want to say another thing about the man who makes this statement publicly. I denounce the statement as a willful, deliberate, malicious falsehood, unworthy of any man who claims to be a gentleman. It is not true. I have not the slightest notion of trying to build up any kind of organization. I think I can safely say I do not have to, even if I wanted to, and God knows I do not want to. I would not have it on my hands for anything in the world.

Listen to what this man said to the people gathered in Tupelo. This is not

half of what he said in another article which I shall read in a moment. This is a news article from Tupelo:

LILLIENTHAL ATTACKS McKELLAR'S TENNESSEE VALLEY AUTHORITY BILL—ASSERTS IT WOULD BE WORST BLOW AGENCY COULD SUFFER—TALKS TO TUPELO GROUP—CHAIRMAN OF AUTHORITY DECLARES PASSAGE OF MEASURE WOULD TURN 35,000 JOBS INTO POLITICAL PLUMS

TUPELO, MISS., April 24.—The place of the Tennessee Valley Authority and the valley area in the war against the Axis Powers was discussed by Tennessee Valley Authority Chairman David E. Lillenthal in an address here Friday before members of the Kiwanis, Rotary, and Lions Clubs.

He was introduced by Mayor J. P. Nanney, who recounted some of the early experiences of Tupelo officials in being the first to sign a contract with Tennessee Valley Authority. Several other officials of the Tennessee Valley Authority who are accompanying Mr. Lillenthal via plane to several towns in the Tennessee Valley Authority area were introduced.

Early Friday he spoke at a meeting of power officials here.

HITS McKELLAR BILL

Stressing that the Tennessee Valley Authority has been kept out of politicians' hands and operated in a businesslike and progressive manner, Mr. Lillenthal expressed firm opposition to a bill proposed by Senator McKELLAR, chairman of the Senate Appropriations Committee, which comes up in the Senate Monday, following its passage by McKELLAR's committee Thursday.

Enactment of this bill would be the worst blow the Tennessee Valley Authority could receive, he said, as it forbids the Tennessee Valley Authority to expend its revenues as received, as has been the practice in the past, and requires Tennessee Valley Authority officials to seek approval from Congress of every item in its program.

There would be constant changes in policies, as administrations or Members of Congress were replaced, business concerns would not make contracts because they could not be assured of what the Tennessee Valley Authority would do, and the 35,000 jobs of the Tennessee Valley Authority would be political plums, Mr. Lillenthal declared.

FAR FROM TRUTH

Pointing to the concentration of heavy industries in the North and East, particularly around Detroit, Mr. Lillenthal said he found a great many Government officials and industrialists who, having only seen and heard the windbag and breast-beater type of southerner, and never having any experience with the southerners who really carry out the progressive programs of their home areas, had the opinion that workers in this agricultural section could be hard to teach to operate industrial machinery.

"Nothing could be farther from the truth," he said, "and it is our purpose to correct this."

He told of the Tennessee Valley Authority's current program of power construction, "the largest job of building ever undertaken directly at one time by any organization in the history of this country" to produce vast amounts of aluminum for aircraft, as well as munitions and chemicals. He stressed the need for strength, not only on a national scale but through all the State, county, and local institutions to the people themselves.

I come now to travel pay. The Senator from Missouri [Mr. CLARK] asked me about that. I am sorry he has left the Chamber temporarily, and hope he will soon return. When I asked the Authority about a budget and what objection they had to coming in and getting a budget from Congress, they said they had

a budget of their own. I asked them to let me know what they had with respect to travel pay in their budget, and this is what I got:

Tennessee Valley Authority direct travel expenses.

Mr. President, this does not apply to the over 1,000 automobiles. By the way, Mr. Smith, clerk of the committee, has called my attention to the fact that the T. V. A. has over 1,000 automobiles down there instead of 763, as I erroneously stated, and I now make the correction. But this matter is separate and apart from that. This is what I got from the Authority on travel pay:

Tennessee Valley Authority direct travel expenses by departments, 1942-43.

Chief Engineer: \$3,000 for 1942 and \$3,000 for 1943.

Construction: I did not know that construction traveled, but I suppose it does under Mr. Lillenthal. Construction, \$112,583 in 1942, and \$66,028 in 1943.

Design: \$63,900 in 1942; \$53,700 in 1943.

Water-control planning: \$68,000 in 1942; \$47,000 in 1943.

Manager of power: Julius Abraham Krug is manager of power. He and David Lillenthal are the "gold-dust twins" of the T. V. A. Both of them ought to be dismissed. I recommended to the President some time ago that he discharge these two men.

Let us see about the manager of power. Who is Mr. Krug? Mr. Krug gets a salary of \$9,500. He has a travel pay allowance of \$21,000 each year. I asked for the vouchers on his travel pay for the fiscal year 1941-42. How did he expend the money for travel? I have Mr. Clapp's testimony on that matter, which I will read. It is that there are at least five other staff members in that office who use travel pay. Mr. Krug and five staff officers, six in all. Six into \$21,000 makes \$3,500 apiece travel pay. I live in Memphis, and get travel pay of \$372.20. Twenty-one thousand dollars is the travel pay for five staff members and Mr. Krug. I asked the T. V. A. to get me the vouchers and the names of the persons who had used this money, and after waiting a week or two I received the vouchers. I have them on my desk here. They found that instead of having 6 using travel pay they had 49. Forty-nine persons in the office of the manager of power used it, and the manager said there were six. The T. V. A. came with a list of 49. And with the 49, do Senators know how much they could account for? They could account for \$15,292.42, and never have been able to find where the remaining amount is. That is all they could find out of the \$21,000 allotted to Mr. Krug for that year.

Mr. President, incidentally, Mr. Krug is quite a remarkable man. They gave as a reason for his large travel pay that Mr. Krug was sometimes called out of the country. Somebody borrowed him and sent him to Costa Rica as an engineer. Mr. Krug, according to a letter from Mr. Batt, which is now in the record, never studied engineering a moment in his life. Yet he is the general engineer of this organization. General engineer, mind you.

They ask that we shall have no supervision over their expenses. No; let us take our filthy hands off these two men. Let them run the T. V. A. as they please, make whatever expenditures they please.

I shall ask Mr. Smith to get me another important document.

Mr. TYDINGS. Mr. President, before the Senator leaves the question of travel pay—

Mr. McKELLAR. I am not going to leave the travel-pay item at this point.

Mr. TYDINGS. Do I understand that the remaining approximately \$6,000 was actually spent, and there never were any vouchers filed for it?

Mr. McKELLAR. We have never found a voucher. They have not presented them as yet. That matter is still unexplained. But, Mr. President, that is not all. Good heavens, no. Let us consider this matter a few moments longer. This information comes from Mr. Clapp. This is not from someone who is examining the Authority, but this is from the manager of the Tennessee Valley Authority. This is from the man who denounces me as one who wants to do evil to them. Listen to this:

Manager of power: \$21,000.

Power operations.

This is an item which has never been explained. I used to be in the power business, and I know something about it, but I never knew of any "power operation" to travel on trains or airplanes. Here is a little item of travel pay for power operations: \$80,000 last year and \$80,000 again this year.

Power utilization: There may be a difference between power utilization and power operation, and there must be, because last year they were given \$21,778 travel pay for "power utilization," and this year \$20,351.

Power engineering and construction: \$140,000 last year, and \$160,000 travel pay this year.

Chief conservation engineer: Mr. President, I want to make a protest in respect to this item. In the name of economy, I want to protest. Chief conservation engineer, \$700 last year, \$700 this year. That man must be in the dog house so far as Krug and Lillenthal are concerned. He received only \$700 for travel pay when all the others are getting scores of thousands of dollars.

Agricultural relief: \$20,924 last year, \$33,713 this year.

Chemical engineering: Mr. President, I am referring to travel pay. Tennessee is nearly 600 miles long and more than 100 miles wide, and there is in the Valley about a 100-mile strip in Mississippi and Alabama. Travel pay for chemical engineering, \$20,000 last year and \$25,000 this year.

Forestry relations: \$22,700 last year, and \$24,350 this year.

Commerce comes next. Commerce travels; we know that. Commerce, \$19,500 last year; \$22,000 this year.

Health and safety: I wonder what that is. For health and safety, \$24,700 last year and \$22,040 this year.

Regional studies: They are getting down to studies now. The researchers have to travel. Thirteen thousand dollars last year and \$12,000 this year for travel pay for regional studies.

Reservoir property management: That is a proper item. Ten thousand seven hundred and fifty-one dollars last year, \$10,912 this year.

Finance comes next. This is travel pay under the head of "Finance"; \$36,270 last year, and \$40,000 this year.

Land acquisition: Of course, that is a proper charge, although I think the amount is entirely too large. It was \$106,800 last year, and \$51,000 this year.

Legal: \$20,000 last year for travel pay for lawyers, and \$25,000 this year.

Material: \$6,000 last year, \$6,000 this year.

Office service: I did not know that "office service" travels.

Mr. TYDINGS. Mr. President, will the Senator permit me to interrupt him here?

Mr. McKELLAR. Yes.

Mr. TYDINGS. Do I understand from the reading of this account of travel expenses that those expenses are authorized by the Congress specifically, or are they paid by the T. V. A. out of income without any authorization by Congress?

Mr. McKELLAR. That is correct.

Mr. TYDINGS. Which of the two statements is correct?

Mr. McKELLAR. They are paid without any authorization by Congress. Congress never heard of the subject until this report was filed by the manager of power.

Mr. TYDINGS. In order that I may get the facts straight, is it a correct statement to say that the travel expenses are paid, not out of appropriations by Congress, but out of revenues earned by the corporation?

Mr. McKELLAR. That is exactly correct.

For the Board of Directors the amount for travel pay for last year was \$4,000; for this year the amount is \$4,000. For the general manager the amount last year was \$1,000, and the amount this year is \$1,000. For the budget office, \$1,000 last year, and \$1,000 this year. For the information office the amount of travel pay is \$6,250. That is their publicity office. That is the office which "skinned" me so thoroughly. The travel pay for the poor Washington office is \$6,250.

The entire travel pay last year was \$857,956; and for this year it is \$769,044.

That is not all. The Transportation Division operation includes all costs of operation of Tennessee Valley Authority-owned vehicles and planes, except heavy specialized equipment used only in major construction projects. That is not a part of the \$769,044. How much do Senators suppose automobiles cost them last year? They have not enough automobiles, and they want more. In 1942 the amount was \$1,320,900, and the figure for this year is \$1,200,000.

According to the figures furnished by Mr. Clapp, general manager, the travel pay last year was approximately \$2,000,000. This Congress is not going to allow such expenditures; and yet if we reject the pending Senate amendment and allow the House language to stay in, the T. V. A. can spend twice as much as the figure mentioned, and we shall have nothing to say about it. The great majority of those constituting the Authority are

doing a fine job; but these two "birds"—Lillenthal and Krug—are quite different. Let us see what else they did. They have not only arranged matters so that we cannot bother them in their appropriation but they have fixed things so that we cannot bother them at all. I wish to read the most remarkable act I think I ever read in my life—

Mr. TYDINGS. Mr. President, would it divert the Senator if I should ask him a question?

Mr. McKELLAR. Not at all.

Mr. TYDINGS. The Senator has made the statement that when power projects are completed and put into operation and earn revenues, the revenues are turned in to the Federal Government?

Mr. McKELLAR. Yes.

Mr. TYDINGS. When such revenues are turned in to the Federal Government, are they general revenues?

Mr. McKELLAR. Yes. We can use them for war purposes, or for any other purpose in the world whenever they are turned in as general receipts; but when they are turned in to the special fund which is provided for in the House language, they cannot be used for anything except upon the check of and under the direction of Mr. Lillenthal.

Mr. TYDINGS. I hope the Senator will allow me to develop that thought, because I do not know much about it, to be perfectly honest. When funds for the T. V. A. come into the Treasury, I suppose they are under a special bookkeeping heading. Would it be possible to use those funds for any other purpose without an act of Congress?

Mr. McKELLAR. Not at all. They are tied up and frozen for the sole purpose of answering the checks of the T. V. A. as at present constituted.

Mr. TYDINGS. Let me ask the Senator another question. I think he said that there were about \$20,000,000 of such funds from T. V. A.

Mr. McKELLAR. More than that. There will probably be \$30,000,000 this year.

Mr. TYDINGS. For 1 year?

Mr. McKELLAR. For 1 year.

Mr. TYDINGS. Does the T. V. A. earn that much in a single year?

Mr. McKELLAR. It earned \$21,000,000 last year, and will earn a great deal more this year, because it has more dams.

Mr. TYDINGS. How long have the so-called T. V. A. funds, set aside under a special heading in a special account, been accumulating in the Treasury out of earnings?

Mr. McKELLAR. For a year or two. I do not know how long.

Mr. TYDINGS. Only for a year or two?

Mr. McKELLAR. I think since they began to receive earnings from the properties which they bought.

Mr. TYDINGS. Of course, these projects were built with Government money, and largely through borrowed money, because they are not really normal governmental activities. I am wondering how we propose to pay back the principal into the Treasury again. Is that to be done out of earnings?

Mr. McKELLAR. There is no proposal in that connection.

If the House provision is allowed to remain in the bill, the funds will be put in the Treasury in a special account, but after they have been paid out, under another act, a copy of which I hold in my hand, the acts of the T. V. A. are final, and cannot be disturbed. Let me read the act to which I refer. It was approved on November 21, 1941. This body voted for it. I read:

[Public Law 306—77th Cong., ch. 485—1st sess.—H. R. 4961]

An act to amend section 9 (b) of the Tennessee Valley Authority Act, as amended by section 14 of the act of August 31, 1935

Be it enacted, etc., That section 9 (b) of the original Tennessee Valley Authority Act, as amended by section 14 of the act of August 31, 1935 (49 Stat. 1030), be, and the same is hereby, further amended by adding at the end thereof the following: "Nothing in this act shall be construed to relieve the treasurer or other accountable officers or employees of the Corporation from compliance with the provisions of existing law requiring the rendition of accounts for adjustment and settlement pursuant to section 236, Revised Statutes, as amended by section 305 of the Budget and Accounting Act, 1921 (42 Stat. 24), and accounts for all receipts and disbursements by or for the Corporation shall be rendered accordingly—

If the act had stopped there, what would have been the effect? The financial activities of the T. V. A. would have been under the supervision of the General Accounting Office, and the accounts of the Tennessee Valley Authority could have been examined from time to time. It could then be determined whether its accounts should be approved. But listen to this proviso—

Provided, That, subject only to the provisions of the Tennessee Valley Authority Act of 1933, as amended, the Corporation is authorized to make such expenditures and to enter into such contracts, agreements, and arrangements, upon such terms and conditions and in such manner as it may deem necessary, including the final settlement of all claims and litigation by or against the Corporation; and, notwithstanding the provisions of any other law governing the expenditure of public funds, the General Accounting Office, in the settlement of the accounts of the treasurer or other accountable officer or employee of the Corporation, shall not disallow credit for, nor withhold funds because of, any expenditure which the Board shall determine to have been necessary to carry out the provisions of said act.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. TYDINGS. As I understand, each time a new dam or project is built in the Tennessee Valley area Congress makes an appropriation to pay for it.

Mr. McKELLAR. Yes.

Mr. TYDINGS. For what will the funds which are left after expenses be used?

Mr. McKELLAR. Whatever Mr. Lillenthal says shall become of them.

Mr. TYDINGS. I understand, but how will Mr. Lillenthal use them?

Mr. McKELLAR. Just as he pleases. The act to which I have referred gives him carte blanche. His accounts may not be questioned by the General Accounting Office or anyone else.

Mr. TYDINGS. How has he used such funds in the past? Have they been used

for betterments or improvements, new dams, roads, reforestation, irrigation, or reclamation?

Mr. McKELLAR. I cannot tell the Senator.

Mr. TYDINGS. Apparently this is a fund with respect to which Mr. Lillenthal has complete control. I was wondering what he was doing with the fund.

Mr. McKELLAR. Under the terms of the act which I read, he cannot be questioned about it. I do not know what he has done with the fund.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BARKLEY. The Senator refers to Mr. Lillenthal as though he were the whole Board.

Mr. McKELLAR. Yes.

Mr. BARKLEY. The Senator knows that there are three members of the Board.

Mr. McKELLAR. Yes; but Mr. Lillenthal is the whole thing.

Mr. BARKLEY. He cannot be the whole thing without the concurrence of the other two members of the Board.

Mr. McKELLAR. The Senator does not know Mr. Lillenthal.

Mr. BARKLEY. Yes; I do know Mr. Lillenthal. He is not even chairman of the Board.

Mr. McKELLAR. Oh, yes; he is chairman of the Board.

Mr. BARKLEY. No; he is not chairman of the Board.

Mr. McKELLAR. Oh, yes; he is.

Mr. BARKLEY. The Senator knows that he is not.

Mr. McKELLAR. Of course, I know perfectly well that he is. He was a Uriah Heep until he became chairman; but when he became chairman, he changed, and now a great military man is he. He is running everything according to his own will, and no one else has any show.

Mr. BARKLEY. He is not the chairman.

Mr. McKELLAR. Of course, he is the chairman.

Mr. BARKLEY. I think he is.

Mr. McKELLAR. Yes. He put out old man H. A. Morgan a year or two ago.

Mr. BARKLEY. No; the President put him out.

Mr. McKELLAR. That was the other Morgan.

Mr. BARKLEY. Oh, no.

Mr. McKELLAR. Oh, there were two Morgans, A. E. Morgan and H. A. Morgan. The Senator from Nebraska [Mr. NORRIS] can tell you. Confer with him; he can tell you that.

Mr. BARKLEY. There were too many Morgans in the institution.

Mr. McKELLAR. Yes; there were too many Morgans, and one of them got out.

Mr. BARKLEY. The President fired one of them.

Mr. McKELLAR. He removed the poorer one.

Mr. McNARY. Mr. President, will the Senator yield to me?

Mr. McKELLAR. I yield.

Mr. McNARY. There seems to be a controversy about the two Morgans. There were two Morgans originally on the Board. One of them became a little old for active duty, and he retired, and

Senator Pope, of Idaho, was appointed. Mr. Lillenthal is now the Chairman.

Mr. BARKLEY. Mr. President, if the Senator will yield to me, let me say that there were two Morgans and one Lillenthal. One Morgan was fired by the President, and the other Morgan was made Chairman of the Board. He remained Chairman until recently; and when he asked the President to relieve him, Mr. Lillenthal was made Chairman. I find that that is the situation, and I want to correct my former statement in that respect.

Mr. McKELLAR. I am glad the Senator now has the correct information. We all know how those things happen. Lillenthal took charge after Pope came in.

Mr. President, I desire to call attention to how this act originated. I think the Senate passed it by unanimous consent; apparently that is so. Nothing about it appears in the record of the Senate proceedings; but in the record of the House proceedings we find something about this marvelous act which puts the T. V. A. under the General Accounting Office in the first instance, and takes it out from any control in the second instance. I will read what happened.

Mr. Lillenthal went to Mr. MAY. I digress here long enough to say that Mr. MAY is from the State of the Senator from Kentucky [Mr. BARKLEY], and is a very fine man.

Mr. BARKLEY. A very fine man, but a persistent and a consistent enemy of the T. V. A., as the Senator knows.

Mr. McKELLAR. As persistent an enemy of the T. V. A. as was ever in either House of Congress; and yet when "Mr. Heep" became chairman he went to this arch enemy of the T. V. A. and got him to help him out with his bill. Here is what took place:

The Clerk called the next bill, H. R. 4961, to amend section 9 (b) of the Tennessee Valley Authority Act, as amended by section 14 of the act of August 31, 1935.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York—

I do not know Mr. COLE; some new Members of the Senate probably served with him, and can say whether he is all right. [Laughter.] I have no doubt that he is all right, judging from what took place in that instance; but I want to tell the Senate what took place. [Laughter.]

Someone is laughing, I observe.

Mr. BARKLEY. Everyone is laughing.

Mr. McKELLAR. If I have said anything that reflects on Mr. COLE, I want to take it back; because I know of nothing in the world that could possibly reflect on Mr. COLE.

I read from the proceedings of the House at that time:

Mr. COLE of New York. Reserving the right to object, Mr. Speaker, I would appreciate it if the chairman of the Committee on Military Affairs would explain the purposes of this bill and its effect.

Mr. MAY—

He fought the Tennessee Valley Authority for 13 months on one bill, did he not?

Mr. BARKLEY. I do not remember how long it was, but it was too long.

Mr. McKELLAR. Yes; it was too long. It may have been twice that long; but whatever it was, it was too long. We all had to fight it out.

I continue to read from the proceedings in the House:

Mr. MAY. Mr. Speaker, this bill proposes to place the Tennessee Valley Authority under the provisions of the Budget and Accounting Act of 1921, with two exceptions. The measure as reported by the House Committee on Military Affairs allows the adjustment and settlement finally without the intervention of the Comptroller General of lawsuits that may be pending by or against the T. V. A. The second class of accounts that are not subject to auditing and settlement are such accounts as the board of directors of the T. V. A.—

Listen to this:

such accounts as the board of directors of the T. V. A. may determine by a meeting of the board to be necessarily of such character that delay would result in loss or serious delay to the Authority, and the board of directors may settle such accounts at the time.

That is his explanation.

I continue to read from the proceedings:

Mr. COLE of New York. Then the effect of the bill is that it places the T. V. A. under the provisions of the Budget and Accounting Act of 1921 except where the board of directors of the T. V. A. determine that they should not be under the provisions of the Budget and Accounting Act.

Mr. MAY. No; except where they say that some case involves an emergency.

There is no such case in there at all.

Mr. COLE of New York. Is not that the effect of it. If the board of directors reserves the right to say what accounts shall be audited and what ones shall not be audited, then the bill does not mean a thing. The Tennessee Valley Authority still has the discretion of either coming or not coming under the provisions of the Budget and Accounting Act of 1921.

It will be remembered that there was a controversy over whether the T. V. A. came or did not come under the provisions of the Budget and Accounting Act of 1921; and this bill was introduced in order to make certain that they did. What was done? The Board got all their contracts ratified before they were ever made; and no other department of government had a right to interfere with them.

I read further from the proceedings in the House:

Mr. MAY. The gentleman may not know it, but I came in with the Tennessee Valley Authority, and it came in with me, and I have been trying ever since to get its accounts audited by the Comptroller General.

If ever a man made a conspicuous failure, my good personal friend, but opponent on matters of T. V. A., certainly made a failure of having that institution brought under the General Accounting Office.

Mr. COLE of New York. I know the gentleman has been trying to do that.

This is the explanation Mr. MAY gave of it:

Mr. MAY. In order to be sure that it was the understanding of the committee and the Congress and the understanding of the Tennessee Valley Authority and the Comptroller General that this measure would place

the Tennessee Valley Authority under the Comptroller General for accounting and settlement of all claims other than the two exceptions I have mentioned—

The two exceptions took in all of them—

we called the general counsel for the Tennessee Valley Authority, Mr. Phipps, who testified before the committee, and the gentleman from Ohio [Mr. ELSTON] was particularly cautious to make him admit to the committee that under this bill they would be under the provisions of the Budget and Accounting Act of 1921 with these two exceptions.

Listen to this:

We then called the counsel of the Comptroller General and he admitted that the bill put the Tennessee Valley Authority under that act. As an extra precaution—

Oh, Mr. MAY, who fought the T. V. A. so much—

As an extra precaution I called one of the Directors of the Tennessee Valley Authority who was present, Mr. David Lillenthal, and asked him to say whether or not that was his construction of it and if it was their purpose to go under the provisions of the Budget and Accounting Act of 1921. He said that he so construed it and so understood it.

Thereupon, the bill was passed. Mr. President, that bill was passed November 21, 1941. I do not know whether I was present and failed to know about it. If I had been here, it certainly would not have passed with my consent or approval, and I think it is one of the most damaging of bills. But it was passed.

Mr. NORRIS rose.

Mr. McKELLAR. I yield to the Senator from Nebraska.

Mr. NORRIS. I think the Senator from Tennessee was here. In fact, the RECORD shows that he participated in debate and discussion in the Senate on the day when the bill was passed, and that he answered to a roll call on the same day, when, under the call of the calendar, the bill was passed. That was not a T. V. A. bill; that bill originated with the enemies of T. V. A.

Mr. McKELLAR. Oh, that was it, was it?

Mr. NORRIS. Of course it was.

Mr. McKELLAR. But why did they call Mr. Lillenthal?

Mr. NORRIS. I know, he agreed to it; and, as the Senator has said, the bill was introduced by the chairman of the Military Affairs Committee of the other House who does not pretend to be a friend of the T. V. A., and has always been an enemy of it. I wish to say that so far as I know he has been an honorable enemy; I do not know of any reason why he should not be an enemy of it if he wants to be.

Mr. McKELLAR. Oh, I know of no reason why he should not. I think he is an honorable man; I have no criticism to make of him if he wants to oppose it.

Mr. NORRIS. That bill was introduced on June 4, 1941. It was referred to the Military Affairs Committee of the House, and hearings were held June 18, 19, and 27, 1941. That would not indicate that there was any secrecy or snap judgment. The bill was reported by the House Committee on Military Affairs on July 15, was passed over in the House without prejudice on July 21, that is,

when it first came up on the Consent Calendar, I presume, it was objected to, and went over. It then was debated on July 21 and 22, and passed the House on July 22. It was referred to the Senate Committee on Agriculture and Forestry on July 24, and was considered in the Senate Committee on Agriculture and Forestry on October 4. So there was the period from July until October before the Senate committee took it up.

The chairman of the Senate Committee on Agriculture and Forestry, the Senator from South Carolina [Mr. SMITH], was authorized and directed by the committee to report the bill favorably to the Senate. On the 6th of October, when the Senator from South Carolina had not come in, and we were about to adjourn over, I asked unanimous consent that he be allowed to file the report during the adjournment or recess of the Senate. Such consent was granted; and thereafter he filed the report. The bill passed the Senate on November 10.

Mr. McKELLAR. There was no debate on it in the Senate.

Mr. NORRIS. There was no debate on it.

Mr. McKELLAR. I have the records here.

Mr. NORRIS. I know about the bill. I was present, of course, at the committee hearing when it was considered. I did not care anything about the bill.

Mr. McKELLAR. If the Senator had examined it, I am quite sure he would have done what I have done; he would have opposed it.

Mr. NORRIS. No; I would not have opposed it.

Mr. McKELLAR. He certainly would have done so if he had examined it carefully.

Mr. NORRIS. The bill was passed because of a request made by the Comptroller General. I did not think it was necessary to pass the bill, but I had a conference with the Comptroller General and some correspondence with him concerning it, all of which I can produce here. The Comptroller General wanted the legislation, and I understand Mr. MAY introduced it following a letter from the Comptroller General. At any rate, the Comptroller General wanted it, as I know from my personal conference with him. The bill was reported, it was placed on the calendar, and was passed. The record shows—and I have it here—that on the day it was passed or just before it was passed, there was a roll call. The Senator from Tennessee was present and answered to the roll call. He participated in the discussion of other bills. There was nothing said about this bill when it came up. So the Senator from Tennessee was present, undoubtedly, and in the Chamber when the bill was passed.

Mr. McKELLAR. The first time I ever heard of this bill was when it was called to my attention a day or two ago.

Mr. NORRIS. There was nothing surreptitious about the action; there was nothing covered up; the long time it took to get through shows that to be so, and I know, from my conferences with the officials, that there was nothing secret about it. It was passed without any objection from anyone.

Mr. McKELLAR. Mr. President, assuming that its passage was all right, it is quite remarkable to me that Mr. Lillenthal and Mr. MAY should confer about it, in view of their past relations. It is remarkable—

Mr. HILL. Mr. President, will the Senator yield there?

Mr. McKELLAR. I shall yield in a moment. Let me say a word or two further, for I want to make plain the facts; then I will be delighted to yield to the Senator.

A remarkable thing about it is that when it was brought up in the House and debated, Mr. COLE questioned it, and put a proper estimate on it from his reading of it. He objected, and the bill went over. Then, a few days later, it came up when Mr. COLE, evidently, was not present, and it passed by unanimous consent. The bill came to the Senate, was reported by the committee, and passed by unanimous consent. I had never heard of it. I do not know how many other Senators ever heard of it. I should like to know how many Senators ever heard of it. If anyone heard of it, I should be glad to have him so indicate.

Mr. BARKLEY. Mr. President, I heard of it, as did the Senator from Nebraska. I did not pay much attention to the procedure in the House, but when the bill came to the Senate it was referred to the Committee on Agriculture and Forestry, as all T. V. A. legislation has been referred. I thought at the time it was largely a bookkeeping matter; it was a measure which the Comptroller General wanted passed for bookkeeping purposes. When it was passed, it was understood to be largely a bookkeeping matter. I understand that the Comptroller General is now satisfied with the operation of that act, and is making no complaint against it or any request for any change in it.

Mr. McKELLAR. I should like to ask the Senator a question. As I understand, the Senator is a strong advocate of Mr. Lillenthal's management.

Mr. BARKLEY. I have no interest in Mr. Lillenthal's management. I have had very few interviews with Mr. Lillenthal. I do not care who manages the T. V. A. I am not interested in any personal job connected with it. I will say that I have not seen anything in Mr. Lillenthal's management, either as a member of the board or as chairman more recently, that induces me to condemn the way in which he is undertaking to operate the T. V. A. I am not his advocate here; I have no interest in whether he retains or does not retain the position.

Mr. McKELLAR. I should like to ask the Senator another question.

Mr. BARKLEY. Very well.

Mr. McKELLAR. The Senator says he was acquainted with the provisions of the bill. He is the only Senator who was acquainted with them, I think.

Mr. BARKLEY. I would not say that.

Mr. McKELLAR. I doubt if any other Senator knew about the bill.

Mr. BARKLEY. The Senator asked as to whether anybody understood or knew anything about this bill, which the Senator has stated was secretly and surreptitiously passed through the Senate.

Mr. McKELLAR. No; I did not. I said it was passed by unanimous consent.

Mr. BARKLEY. The Senator told me in a conversation that the bill was slipped through the Senate. I do not understand that it was slipped through the Senate. It was on the calendar like every other bill which is passed on the call of the calendar, and nobody objected to it. There was not much debate about it.

Mr. McKELLAR. Let me ask the Senator a plain question. I quote a provision and want to know whether the Senator approves of it:

Notwithstanding the provisions of any other law governing the expenditure of public funds, the General Accounting Office, in the settlement of the accounts of the Treasurer or other accountable officer or employees of the Corporation, shall not disallow credit for, nor withhold funds because of, any expenditure which the Board shall determine to have been necessary to carry out the provisions of said act.

Does the Senator endorse that?

Mr. BARKLEY. I do.

Mr. McKELLAR. I am sorry to hear the Senator say so.

Mr. BARKLEY. The Senator from Tennessee was here, I suppose, at the time, and he did not object to it. We assume that a man who has any objection will make it, and, knowing my good friend from Tennessee as I do, I am sure he would have made objection if he had thought of it.

Mr. McKELLAR. If I had known about it, but I did not know, or I would have objected.

Mr. BARKLEY. The Senator always objects to anything he objects to.

Mr. McKELLAR. Yes, sir; I do, with vigor, when I think I am right.

Mr. BARKLEY. The Senator said he would have objected if he had known about it; I assume he is correct, and that he would have objected if he had known about it. I do not know why he did not know about it; but that is neither here nor there. I am going to discuss this situation a little later; I do not want to do so in the Senator's time.

Mr. McKELLAR. I hope the Senator will not do so in my time. There are several important matters I should like to discuss.

Mr. BARKLEY. The Senator asked me a question, and I was trying to answer him.

Will the Senator yield to me now for another purpose?

Mr. McKELLAR. Certainly.

Mr. BARKLEY. I have been asked by a number of Senators whether it is possible to conclude this bill today. I am satisfied it is not possible.

Mr. McKELLAR. We have yet 2 hours and ought to be able to conclude it today.

Mr. BARKLEY. There are a number of speeches to be made on this question; I do not think it would be possible to conclude it today, and it is not my desire, and it is not the desire of the Senate, I think, to hold a session tomorrow. Therefore, it seems to me that it might be well to announce now that this bill will have to go over until Monday. I am not asking that any hour be fixed to vote on the bill on Monday.

Mr. McKELLAR. I will agree to vote at any hour on Monday the Senator will suggest.

Mr. BARKLEY. I am not seeking to fix any hour. I do not know how long the Senator is going to speak today. I am sure the Senator is not through.

Mr. McKELLAR. I am not through.

Mr. BARKLEY. It is now after 3 o'clock, and it may be 5 o'clock before the Senator from Tennessee concludes.

Mr. McKELLAR. If I can get the floor, I think I can conclude in half an hour.

Mr. BARKLEY. The Senator has the floor and has control of it.

Mr. McKELLAR. Oh, no.

Mr. BARKLEY. I simply wanted, for the benefit of Senators who asked me about it, to suggest that, in my judgment, it will be impossible to vote on this bill today.

Mr. McKELLAR. Will the Senator agree to vote on it at 3 o'clock Monday?

Mr. BARKLEY. I will not.

Mr. McKELLAR. Will he agree to vote on it at 5 o'clock on Monday?

Mr. BARKLEY. I will not agree to vote on it at any time on Monday.

Mr. McKELLAR. Will the Senator agree to vote at 1 o'clock on Tuesday?

Mr. BARKLEY. I am not going to make any agreement now for voting. I do not know how long the Senator is going to take. The Senator from Nebraska wants to speak on this subject; the Senator from Oregon wants to speak; the Senator from Alabama [Mr. HILL] wants to speak; and I myself desire to speak on it, as do other Senators. It is a very important matter. I cannot agree now to any hour at which to vote. I merely asked the Senator to yield to me in order that I might announce to the Senate that we cannot vote today, in my judgment, and that we do not desire to have a session tomorrow, so that Senators may understand that this matter will have to go over until Monday. I have no objection to the Senator from Tennessee taking the remainder of the afternoon if he desires to do so.

Mr. SMITH. Mr. President, may I ask the Senator a question?

Mr. McKELLAR. If I have the floor, I shall be glad to yield.

Mr. SMITH. No one else seems to have it.

The PRESIDING OFFICER. The Senator from Tennessee has the floor.

Mr. SMITH. I inquire, What year was the law which the Senator read passed?

Mr. McKELLAR. It was passed November 21, 1941—last November.

Mr. SMITH. Who was the author of the bill?

Mr. McKELLAR. The author was Representative MAX, of Kentucky. He had been one of those who were against the T. V. A. in the past, but he said that he had conferred with Mr. Lillenthal about the bill, and he thought that Mr. Lillenthal, under the bill, would put the T. V. A. under the General Accounting Office. It may have been put under the General Accounting Office, but without any power in the General Accounting Office to change any account.

Mr. SMITH. Now let me ask the Senator from Nebraska if this is the bill

which I was authorized to report during the recess of the Senate?

Mr. NORRIS. It is.

Mr. SMITH. I remember hearing that request made, and I did report the bill without knowing very much of what was in it.

Mr. BARKLEY. Mr. President, will the Senator yield for a moment?

Mr. McKELLAR. I yield.

Mr. BARKLEY. This was a House bill. It originated in the General Accounting Office, it passed the House, as has been stated, and came to the Senate. It did undertake to put the T. V. A. under the General Accounting Office, subject to certain exceptions and reservations, and those reservations were intended to make the Board of Directors of the Tennessee Valley Authority a board of directors to manage the organization. That is what it intended to do and that is what it did and that was done with the consent of the T. V. A., with the consent of the Comptroller General, and with the consent of both Houses of Congress almost unanimously. That is the provision of the law which the Senator from Tennessee is now seeking to repeal.

Mr. CLARK of Missouri. Mr. President, will the Senator from Tennessee, before he goes on with the discourse, permit me to make an interjection?

Mr. McKELLAR. I yield.

Mr. CLARK of Missouri. It seems to me that an inquiry into the precise parliamentary stages by which this measure was passed is really beside the question. I assume that the passage of the measure was legal. It was passed by each branch of the Congress and was signed by the President. I am frank to say that I am one of the Senators to whom the Senator from Tennessee referred awhile ago, who are not familiar with this act, as I have not had the opportunity of being familiar with many House bills which have been reported from committees and passed the Senate on a call of the calendar. It does not seem to me that that is the important question in this matter. So far as I am concerned, I do not know Lillenthal or care anything about Lillenthal. I recall that when the Tennessee Valley Authority was first created I, single-handed and alone, by main strength and awkwardness, in the first year of my service in the Senate, held up the confirmation of Dr. A. E. Morgan for some 2 weeks. I finally yielded only on the representations of the Senator from Tennessee and the Senator from Nebraska, who were at that time both great admirers of Dr. A. E. Morgan. As I have said, I do not care anything about Lillenthal one way or the other.

I think the Tennessee Valley Authority as an institution has done a splendid job in the development of power, but, instead of having wrangling about the various parliamentary steps by which this act was passed, why does not someone come in and tell us exactly why the Tennessee Valley Authority should be a sacred cow, why it should be taken out of the general jurisdiction of the General Accounting Office of the Comptroller General's authority, why there should be a difference between the Tennessee Val-

ley Authority and the Bonneville Dam, between the Tennessee Valley Authority and the Boulder Dam, between the Tennessee Valley Authority and the Grand Coulee Dam, between the Tennessee Valley Authority and that great work which has gone on in the last few years under the Corps of Engineers of the United States Army, the development of flood protection and navigation on the lower Mississippi, now about to become so valuable to us as affording barge-line transportation for gasoline.

It seems to me that it is very much more important, instead of finding out the parliamentary steps by which this measure was passed—and some of us are frank to say that we are not familiar with them—to ascertain the justification for the bill when it was passed, or the justification for its continuance at the present time.

Mr. BARKLEY. If the Senator from Tennessee will yield, I will say to the Senator from Missouri that some of us will undertake to disclose just what he suggests.

Mr. CLARK of Missouri. I shall be very glad to listen to the Senator from Kentucky or to anyone else.

Mr. BARKLEY. We will undertake to do that when we get a chance to do it. I think the Senator's inquiry is pertinent.

Mr. CLARK of Missouri. I shall be very glad to be present and listen to the explanation with a completely open mind.

Mr. HILL. Mr. President, will the Senator from Tennessee yield?

Mr. McKELLAR. I yield.

Mr. HILL. The Senator from Missouri has gone to the very heart of this question. I wish to repeat what the Senator from Kentucky said. I do not care to intrude upon the time of the Senator from Tennessee, but if the Senator from Missouri will be with us on Monday—

Mr. CLARK of Missouri. I will be here.

Mr. HILL. Some of us will attempt to answer the Senator's question to the best of our ability.

Mr. CLARK of Missouri. I should like to have an answer.

Mr. McKELLAR. I should like to have the Senator answer another question. We are in a great war, and if the War Department itself has to come to Congress for its appropriations, have the Budget Bureau first pass on them, then the President send a Budget estimate of the expenses, and the committee of each House go over each item for the War Department, why is it that, as the Senator from Missouri has said, there is something sacred about the Tennessee Valley Authority, and its officers do not have to do as those of the War Department do, or as those of the Navy Department do? They have to come before the Congress for their appropriations. Is there anything dishonorable, is there anything outrageous in having them do so? The same statement applies to the Treasury Department and the Interior Department. Secretary Ickes, the head of the Interior Department, said he did not consider it wrong or improper for him to have to come before the Congress.

I now call attention to the fact that if the House provision were agreed to it would be unconstitutional, because the Constitution requires that all money taken out of the Treasury shall be taken out by appropriations of the Congress. It cannot be taken out otherwise; it is impossible.

If the Senate is to go over until Monday—and I am sorry if it is—

Mr. BARKLEY. I am sorry, too. I had hoped we could vote today, but it is obvious we cannot. I think the Senator will agree that we cannot vote today.

Mr. McKELLAR. I will take my medicine like a man, and let the bill go over.

Mr. BARKLEY. I think the Senator will agree that we cannot vote today, unless the session runs into the night.

Mr. McKELLAR. I am sorry we cannot, but I desire to bring up one more subject before I finish for the day, and I will then conclude on Monday.

Mr. BARKLEY. Does the Senator mean he is going over to Monday, too?

Mr. McKELLAR. Yes; if the Senator is going over until Monday, I am going over until Monday. I am going to stay with him in this fight until it is over.

I desire to call attention to some remarkable expenditures. This is a small matter, in a way, but a very large matter in another way. It will take me but a few moments to explain it, although the record is pretty large.

We hear talk about politics. Mr. Lillenthal thinks it is outrageous for a Senator to have anything to do with the Tennessee Valley Authority after he has obtained control of it. He previously took a very different position, but he is undertaking to build up a little machine himself.

I have in my hand the record of the hearings. I am wondering how many would vote for an appropriation of the sort here indicated. Here is an item of newspapers, exhibit 1. This is by the Authority itself; it is one of the officers testifying:

Huntsville Times, an advertisement, \$147.84, on May 25 last.

Louisville Courier Journal. The Authority is now getting out of its bailiwick, and it puts an advertisement in the Louisville Courier Journal costing \$933.28.

Mr. BARKLEY. Louisville is not without the bailiwick, it is within the radius of the power of T. V. A. I do not know what the advertisement was, but certainly Kentucky is not outside the bailiwick of the Tennessee Valley Authority.

Mr. McKELLAR. Absolutely and entirely. If there is a word about Kentucky in the Tennessee Valley Act or any of its amendments, I have been unable to find it.

Mr. BARKLEY. Mr. President—

Mr. McKELLAR. Wait a moment; I refuse to yield. The Senator must give me a chance to say a word.

Mr. NORRIS. That is right; give the Senator from Tennessee some time.

Mr. McKELLAR. I really think the Senator owes it to me to let me say a word about the matter. I am reading from a record which shows that the Tennessee Valley Authority paid the Louis-

ville Courier Journal \$933.28 for an advertisement last May.

I have been presenting a bill for the last 10 years to include the Cumberland Valley in the T. V. A., without success. The Senator from Nebraska put through a similar bill, and I admire him for getting it through.

Mr. BARKLEY. Will the Senator yield?

Mr. McKELLAR. No; I will not yield. I decline to yield.

The Senator from Nebraska got his bill through the Senate, but it was lost in the House. They refused to put even the northern part of Tennessee in the T. V. A., but one of the complaints against Lillenthal is that today he is making contracts—or has been for the last number of days—with power companies for the purchase and distribution of power in the State of Kentucky, although we were unable to get through our bill amending the Tennessee Valley Authority Act so as to bring the Cumberland River Valley into the system.

Mr. BARKLEY. Now will the Senator yield?

Mr. McKELLAR. Yet they are undertaking to deal in Kentucky.

Mr. HILL rose.

Mr. BARKLEY. Will the Senator yield?

Mr. McKELLAR. I know the Senate would not permit that for a moment, if it were an original proposition.

Mr. BARKLEY. Will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BARKLEY. Getting back to the Senator's suggestion that Kentucky is outside the jurisdiction of the T. V. A., and the fact that Kentucky is not named in the act, of course, Kentucky is not named in the act, and no other State is named in the act.

Mr. McKELLAR. Oh, yes; it is.

Mr. BARKLEY. Except Tennessee.

Mr. McKELLAR. Oh, yes; Alabama is.

Mr. BARKLEY. The reason why Tennessee is named is that the Tennessee River is named for the State of Tennessee, and it is the Tennessee Valley Authority which we created. I do not know what these advertisements in the Courier Journal were—

Mr. McKELLAR. If the Senator will give me a small portion of my time, I will tell him very quickly, but the Senator jumps up every moment, and is undertaking to stop this proceeding, and I do not think it is right.

Mr. BARKLEY. The Senator does not have to yield to me unless he desires to do so.

Mr. McKELLAR. I will not yield to the Senator any further. I yield to the Senator from Alabama.

Mr. HILL. The Senator knows the river runs through Kentucky.

Mr. McKELLAR. What river does?

Mr. HILL. The Tennessee River runs through Kentucky and flows into the Ohio River.

Mr. McKELLAR. The Senator is giving me some geography I never heard of.

Mr. HILL. The Gilbertsville Dam is in Kentucky. That is the largest dam

the Tennessee Valley Authority is building. The largest dam the Congress has authorized and provided the money for is in the State of Kentucky.

Mr. McKELLAR. That is in the valley of the Tennessee?

Mr. HILL. It is in the valley of the Tennessee River; of course it is. Let me say to the Senator, if I may, and then I shall not interrupt him any more, that there is a vast difference, of course, between the Tennessee Valley Authority going down the river and taking care of the whole Tennessee Valley, as the original act authorized and directed, and bringing in another river, the Cumberland River, which does not in any way affect the Tennessee Valley. The Cumberland River is a separate river, with a separate valley, a separate water system entirely. The two are entirely different.

Mr. BARKLEY. Mr. President—

Mr. McKELLAR. I shall ask unanimous consent to proceed for a moment to tell about these different newspaper advertisements. Full-page advertisements appeared in each of the following newspapers, and I am stating the amount paid for the advertisements: Huntsville Times, \$147.84; Louisville Courier Journal, \$933.28; Columbus Commercial Dispatch, \$92.80; Corinth Journal, \$58.80; Chattanooga News-Free Press, \$337.12; Chattanooga Times, \$337.12; Jackson Sun, \$117.60; Johnson City Press Chronicle, \$172.48; Johnson City Times, \$105.84; Kingsport Times, \$129.36; Knoxville Journal, \$295.68; Knoxville News Sentinel, \$337.12; Memphis Commercial Appeal, \$831.60; Murfreesboro News Journal, \$94.08; Nashville Tennessean.

Here we have two political twins. Silliman Evans, sometimes of Chicago, sometimes of Baltimore, sometimes of Tennessee, sometimes of Texas, and David Lillenthal. The Nashville Tennessean, \$596.

The total is \$4,607.50.

Later, on November 2, another advertisement of the same size, appeared in the same newspapers, which is quite remarkable. Senators must know that the newspapers have not been very strong for me in Tennessee. The Nashville Banner has been for me. The Greeneville Sun has been for me. I do not find either one of them in this list. Practically all the others are in the list.

I come now to the county newspapers. Why in the name of Heaven would the Tennessee Valley Authority be advertising in county newspapers? Talk about politics. What is the plan?

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Nebraska?

Mr. McKELLAR. I yield.

Mr. NORRIS. I think it would be well if the Senator would put in the RECORD as a part of his speech the advertisements themselves, to show that they were signed not only by the Tennessee Valley Authority, but by the Georgia Power Co., the Alabama Power Co., the Tennessee Power Co., the Central Power Commission, and I am not sure but that the Secretary of War signed them. If the Senator will

read the advertisements themselves he will find that they are self-explanatory.

Mr. McKELLAR. One moment. I shall finish this part of my statement, and then in a moment I will reply to the Senator's statement, because he has suggested a matter I never thought of. Mr. President, I have sat in the Senate with my mouth open listening to the Senator talk about the horrid Power Trust, and I have agreed with every word he said. The Tennessee Valley Authority is one of the nine big power companies. They are all together. They have a working agreement. Since Lillenthal came into power they have established a pool.

I have heard the Senator from Nebraska tell us, and I have endorsed every word he said, that we in this country were in the hands of the Power Trust, and the only way to get out of its hands was to create this Government-owned institution, and we created it, and yet when Mr. Lillenthal gets hold of it he joins the Power Trust, the other power companies.

Mr. NORRIS. Mr. President, will the Senator again yield?

Mr. McKELLAR. Yes, indeed.

Mr. NORRIS. The Tennessee Valley Act itself provides for agreement with private power companies. Does the Senator from Tennessee object to the agreement by the Tennessee Valley Authority with private power companies whereby their power was pooled, and the power production for aluminum was increased, I think about 300,000 kilowatts, and was used in the manufacture of aluminum which went into airplanes which have gone all over the world?

Mr. McKELLAR. The Senator is mistaken in his facts. The pool gets the power from the T. V. A., but precious little power comes from the pool to the T. V. A.

Mr. HILL. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. HILL. I do not wish to interrupt the Senator from Tennessee.

Mr. McKELLAR. No; I see that. [Laughter.]

Mr. HILL. The next fiscal year, beginning July 1, the Tennessee Valley Authority will get between seven and ten million dollars' worth of power from private power companies.

Mr. McKELLAR. Yes; it will get it in the future.

Mr. HILL. It has been contracted for, I will say to the Senator, and the Tennessee Valley Authority is getting a good deal of it now. A power company could no more operate efficiently and on a good business basis without having some interchange with the surrounding companies than a railroad could operate efficiently which would not permit one of its cars to go over the lines of other railroad companies. Economy in business dictates that such cooperation take place.

Mr. McKELLAR. If the Senator from Alabama thinks that pooling agreements with private power companies is all right, very well, I think it is all wrong.

Mr. HILL. I think the kind of agreement they have had is not only right, but I think if they did not have that kind of agreement, Congress would cry out in

protest against the Tennessee Valley Authority operating its business in such an uneconomic way.

Mr. McKELLAR. I wish to call attention, Mr. President, to the number of county newspapers in Tennessee, Mississippi, and Alabama which carried these advertisements. They are all there; the Authority did not leave any of them out. Listen, Senators. The Ashland City (Tenn.) Times; Adamsville, the Tennessee Valley Appeal; Alamo, the Crockett Times; Athens, the McMinn County Herald; Bells, the Crockett County Sentinel; Bolivar, the Bulletin; Brownsville, the States Graphic. All the county weeklies in the State are in the list.

Mr. LUCAS. What did the advertisement say?

Mr. McKELLAR. The last advertisements set forth what the Tennessee Valley Authority were doing when they "blackened us out" down there. They gave Tennessee a black eye when they said we did not have power enough to run our establishments. They certainly were reflecting upon us. We did not have any shortage of power. There was not a particle of reason for any blackout. There was plenty of power there at all times. The power served every interest. The Aluminum Co. never has shut down for a moment. It is running 7 days a week on power furnished from these dams which we would not have had if Lillenthal had had his way when he was lobbying against them.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BARKLEY. The Senator from Illinois asked what these advertisements carried. As a matter of fact, they carried information to the people of the Tennessee Valley. I have here in my hand a full-page advertisement appearing in the Chattanooga Evening Times, of Chattanooga, Tenn., on Monday, November 3, 1941, in which the Tennessee Valley Authority advises all the people in the Tennessee Valley what has happened under an order of the Office of Production Management, with regard to priorities. It tells the people what can and what cannot be done. It lists five things and, if the Senator will permit me a moment, I will read them. I shall not read the whole page of the advertisement, but only the five things:

The following uses of electricity are prohibited by the O. P. M. order:

1. Sign lighting.
2. Show-window lighting.
3. Outline and ornamental lighting.
4. Out-door lighting—flood lighting or field lighting for amusement or sports.
5. Interior or exterior lighting for decorative or advertisement purposes.

The foregoing prohibited uses do not include:

- A. Ordinary street or traffic lighting.
- B. Signal or other lighting required by police, fire, or other public-safety departments.
- C. Lighting for defense property protection required by defense regulations.

Mr. McKELLAR. Let us put that article into the RECORD at this point.

Mr. BARKLEY. I am going to put it into the RECORD during my remarks.

Mr. McKELLAR. Very well.

Mr. BARKLEY. That full-page advertisement, following the order of the O. P. M. designating what could and what could not be done with respect to the consumption of electricity last November, was intended to inform the people of the Tennessee Valley of what could and what could not be done. I do not know what that advertisement cost, but it was certainly information the people of that valley was entitled to.

Mr. McKELLAR. It cost \$457.52.

Mr. BARKLEY. I think it was worth it.

Mr. McKELLAR. Perhaps so; but I wish to say to the Senate and to the Senator, who perhaps is not familiar with the situation, that there was no such order put into effect.

Mr. BARKLEY. If the Senator—

Mr. McKELLAR. Wait a moment. I have given nine-tenths of my time to the Senator from Kentucky.

Mr. BARKLEY. Oh, no; only two-tenths.

Mr. McKELLAR. Two-tenths. That is a good deal of it. I have been very generous.

The order was not put into effect. When it was brought to the attention of the W. P. B. it was canceled; and I will tell the Senate why it was canceled. That order was really made by Mr. Julius Abraham Krug, whom Mr. David Lillenthal had loaned to the W. P. B.; and for some purpose Mr. Krug, acting for the W. P. B., issued the order or had it issued. When it was brought to Mr. Nelson's attention it was canceled. It was never put into effect, and the advertisement was useless.

Mr. BARKLEY. The T. V. A. could not have loaned Mr. Krug to the W. P. B. unless the W. P. B. had wanted to borrow Mr. Krug from the T. V. A. So there must have been a mutual relationship in order to lend or borrow. Certainly the order of the O. P. M. was in effect at the time of the advertisement.

Mr. CHANDLER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Does the Senator from Tennessee yield to the Senator from Kentucky?

Mr. McKELLAR. I shall be glad to yield in a moment.

The sum of \$41,697.09 was spent for advertising in every newspaper in my State, with two or three exceptions, and in every newspaper in the States of Mississippi and Alabama, about something which never took place as a matter of fact. The advertisement may have been legitimate. I do not believe the Senate would have allowed that much for advertising.

Mr. HILL. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. HILL. I do not like to continue to interrupt the Senator. The private power companies in that area did exactly what the Tennessee Valley Authority did. In my home city of Montgomery, Ala., the Alabama Power Co. carried advertisements in the two local newspapers exactly like the advertisement of the Tennessee Valley Authority, because the O. P. M. called on the private power com-

panies and the Tennessee Valley Authority to acquaint the people with the situation.

Mr. McKELLAR. The O. P. M. canceled the order when it was brought to its attention, because there was no shortage. It was ridiculous. It was a piece of nonsense. With most of the plants in that vicinity running 7 days a week, and the aluminum plant running 7 days a week at all times, I never could understand why, in the name of God, Krug, one of the Gold Dust Twins of the T. V. A., wanted to put a black-out on the people of Tennessee. I cannot imagine any reason. I should be almost ashamed to suggest a reason.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. NORRIS. The testimony before the committee, when the Senator was present, shows that, while the order did not actually go into effect, it was thought—and from the evidence I am inclined to agree with that opinion—that the advertisements signed by all the power companies and the Federal officials called attention to what they feared would be a shortage of power. The people, of their own will, cut down the use of power for the purposes which were prohibited, which made the order unnecessary. In due time the rains came, the rivers flowed, the dams were filled, and it was unnecessary to have anything of that kind.

Mr. McKELLAR. Of course, it was unnecessary. Why? Because on the Tennessee River we have a greater amount of developed water power than exists on any other river in the country.

Mr. NORRIS. I know—

Mr. McKELLAR. We have built it up after years of fighting. Now the T. V. A. comes along and blandly joins with the power companies.

Mr. NORRIS. As a matter of fact, some of the reservoirs were empty at that time. I believe the great reservoir behind the Norris Dam was empty, or nearly empty.

Mr. McKELLAR. It was low, but it was not empty.

Mr. NORRIS. Very well.

Mr. McKELLAR. It becomes low every fall.

Mr. NORRIS. It was as low as it could get.

Mr. McKELLAR. That is one of the natural things which come about.

Mr. NORRIS. There was no rain. I happen to know that the Federal officials and the private power companies worked together. They issued this order as a safeguard. They did keep the great aluminum industry going. They were afraid they could not do so. They thought they had better keep that industry going and produce aluminum rather than to use electricity for the purposes which were prohibited in the order of the O. P. M.

Mr. McKELLAR. At any rate, the T. V. A. were acting in concert with the power companies. In the past, when the Senator used to discuss the power companies so frequently, he absolutely converted me. I cannot imagine how my distinguished and able friend from Ne-

braska, after what he said about the power companies, could go along with the T. V. A. and lie down with nine of the big power companies, all acting in perfect harmony, as they are today.

Mr. NORRIS. I feel the same way about the power companies as I feel about Russia. I now have great admiration for Russia. I did not like the Russian Government, but the Russian Government is doing a work which no other country in the world has been able to do. I think we owe a great deal to Russia. When we get through, if we win the war—as I think we shall—we shall owe more to Russia than to any other country in the world for the victory.

Mr. McKELLAR. It begins to look that way. I wish the Senator and I agreed as well on this question as we do on the subject of Russia.

Mr. NORRIS. When somebody whose help I need comes along, I do not stop to find out whether he is a Presbyterian or a Methodist before I accept his help. The power companies were producing power through an arrangement with the T. V. A. and transmitting power to the places where it could be used. In one instance 300,000 kilowatts of power were produced for use in the manufacture of aluminum. That power would not have been available had it not been for the arrangement between the private power companies and the T. V. A. I may be mistaken, but I think it was a good thing.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. CHANDLER. My friend from Tennessee has mentioned Mr. Krug. The first important job which Mr. Krug got after he left college was in Kentucky.

At the request of Mr. Lillenthal, while I was Governor, we reluctantly let him go from Kentucky. I wish to say a word for him. I think he is dependable, reliable, and devoted to the public welfare and to those who operate T. V. A. That was my own personal experience with him. I did not want him to leave Kentucky, because he was highly successful. While my friend says that there was no shortage of power in Tennessee, my colleague [Mr. BARKLEY] will confirm the statement that we could not obtain a guaranty of 20,000 kilowatt-hours in 10 months. We lost an important industry, which went elsewhere because we could not obtain the necessary power. In my opinion, if Mr. Krug said these things were necessary, I should be inclined to say that he was right about it, based upon my personal experience and my knowledge of how he works for the cause.

Mr. McKELLAR. I understand the Senator wants the T. V. A. to jump over the Cumberland Valley and go over into Kentucky.

Mr. CHANDLER. I want the Gilbertsville project completed. When it is completed we can obtain power which we do not now have. Neither can it be brought to us. If we could have obtained it in time, we could have made a commitment to the industry which was considering locating in Kentucky; but we could not obtain a guaranty of 20,000 kilowatt-hours in 10 months. My colleague will

recall the meetings which we had in that connection.

Mr. BARKLEY. That is true.

Mr. CHANDLER. We lost several important industries because of the failure to obtain power in any quantity, or at a fair rate.

Mr. NORRIS. Or with certainty.

Mr. CHANDLER. Or with certainty.

Mr. Lillenthal and I were in college together. I think that Mr. Lillenthal and Mr. Krug are devoted to the public service. I know that to be true of Mr. Krug from my own personal experience with him.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BARKLEY. The Senator from Tennessee has facetiously and in good humor undertaken to chide the Senator from Nebraska [Mr. NORRIS] because the Tennessee Valley Authority and the private power companies, following the order of the O. P. M., issued an advertisement through the newspapers.

The order of the O. P. M. did not apply to the Tennessee Valley alone. It was a policy adopted for the southeastern section of the country, designed to save electric power and conserve electricity. It so happened that the Tennessee Valley was within that region.

When the Tennessee Valley Authority issued the advertisement to which I referred a moment ago it was appealing to its own customers in the Tennessee Valley to conserve electricity and calling attention to the order which had been issued by the O. P. M. to conserve electricity. The private power companies issued a similar advertisement appealing to their customers. There was no collusion. There was no lying down in bed together. They were appealing to their own customers in accordance with an order issued by the O. P. M. to conserve electricity, because it was feared that there might be a shortage for war purposes. That was the only reason for the order and the warning.

It is not quite fair to undertake to say that the T. V. A. and the private power companies lay down in the same bed together because they all issued an advertisement directed to their consumers, urging them to conserve electricity and power which might otherwise be wasted, in order that it might be concentrated on the production of war materials. That is what the advertisement was intended to do. The fact that the order was subsequently found to be unnecessary and was canceled has nothing to do with the merits of the advertisement. The people were being warned against the waste of electric power.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. LUCAS. The Senator is talking about advertisements, and making a complaint against spending money for advertisements of this kind, apparently advising the Senate that the Tennessee Valley Authority has sole power to issue such advertisements. Much time has been spent in discussing this question. Under the terms of the committee amendment, I am wondering who would

have the authority to say whether such advertisements should be issued?

Mr. McKELLAR. The committee amendment would not affect it in the slightest.

Mr. LUCAS. Then why all the argument?

Mr. McKELLAR. I do not know whether the Senator has followed this matter; but it is because the committee does not think that the Tennessee Valley Authority should make these expenditures without having a committee of Congress pass on them. No other governmental agency does it, and why should the Tennessee Valley Authority have that exclusive power?

Mr. LUCAS. I thank the Senator. Under his amendment, then, before they could publish an advertisement of this kind they would have to get congressional authority to do so; is that the idea?

Mr. McKELLAR. They could not do it until the present law is repealed; but the Senator misapprehends what the amendment does. The provision proposed to be amended was offered in the House and was agreed to. It excludes the Tennessee Valley Authority from the requirement of paying its receipts into the Treasury of the United States, as other agencies do. If the provision is stricken out, then the Tennessee Valley Authority will have to pay its receipts into the Treasury, and will receive the appropriation Congress provides for them in this bill. In this bill we would appropriate an additional \$36,000,000 with which they would pay their expenses; but we would require them to come to Congress, and we would get their estimates.

Mr. LUCAS. I think I understand the Senator; but I am simply trying to find out in my own way how newspaper advertising, for instance, which we have discussed here for the last hour, would be affected by this amendment. Would the Tennessee Valley Authority still have the same right and the same power and the same authority?

Mr. McKELLAR. It would not have the money to pay for it unless it got the money from Congress.

Mr. LUCAS. Assuming it got the appropriation from Congress?

Mr. McKELLAR. It would have to come here and get the money with which to pay for such advertisements. That is what every other agency has to do.

Mr. LUCAS. I understand that; but I also understand that the Tennessee Valley Authority has been in existence for 8 or 9 years—

Mr. McKELLAR. Yes.

Mr. LUCAS. And the Senator has been a member of the Appropriations Committee all that time. Why has not this question been thrashed out before?

Mr. McKELLAR. Because it has not sharply and definitely come up before, for the reason that, as the Senator knows, not until 2 or 3 years ago was very much power created by the T. V. A.; but 2 or 3 years ago we authorized the T. V. A. to buy all the power companies in Tennessee except those in northeast Tennessee. Before that time they had a very small amount of income, but since they bought all the State power companies—they bought the company of Mr. Willkie, the

former Republican candidate for President—they have had an enormous income; and since that has come about it is very important that the Congress should know what becomes of the money. An enormous amount for the power companies in that locality.

Mr. LUCAS. I appreciate what the Senator says, and I only arise for the purpose of trying to obtain some information; because I am not a member of the committee, and, frankly, I have not followed its proceedings at all, and I know nothing about the hearings. It occurred to me to ask the question because the Tennessee Valley Authority has been in existence for 8 or 9 years, and the Appropriations Committee has been meeting each year.

Mr. McKELLAR. Oh, the T. V. A. have been building dams all during that time. Until the last 3 or 4 years practically no money has come in. Very little money came in, and it was paid into the Treasury as general receipts. But when Mr. Lillenthal became head of this agency he had put into the law the same provision that is now in the House bill, which excused them from paying their receipts into the Treasury. That was after they bought up a large number of power companies.

Mr. LUCAS. What year was that?

Mr. McKELLAR. I cannot say positively. It was 3 or 4 years ago.

Mr. BARKLEY. Mr. President, if the Senator will yield, let me say that 3 or 4 years ago Congress authorized the creation of the Tennessee Valley Authority fund in the Treasury, a fund which is a separate fund in the Treasury. The money was not covered into the Treasury, as is done with other receipts. It was held as a special Tennessee Valley Authority fund, and is now in the Treasury of the United States; and that has been true for the last 3 or 4 years.

Mr. HILL. Mr. President, if the Senator will yield to me, I should like to ask a question.

Mr. LUCAS. That thought occurred to me, and—

The PRESIDING OFFICER. Does the Senator from Tennessee yield; and if so, to whom?

Mr. McKELLAR. I yield to the Senator from Alabama.

Mr. HILL. I thank the Senator. I wish to say to the Senator from Illinois that there is now no difference between the way the Tennessee Valley Authority is handling its funds, the way it is turning its funds into the Treasury, and the way that has always been done since 1933, when the Tennessee Valley Authority came into being.

Mr. McKELLAR. Oh, there has been a change.

Mr. HILL. Of course, as the Senator from Tennessee says, through the years more dams have been constructed, more power has been generated, the Tennessee Valley Authority has sold more power, and the receipts have grown larger year by year, but the basic provision for the handling of Tennessee Valley Authority funds was written into the basic act, which was passed on May 18, 1933. It is section 26 of the act. I read section 26 of the law Congress enacted in 1933; it

has been the law for many years, and is still the law. It is as follows:

The net proceeds derived by the Board from the sale of power and any of the products manufactured by the Corporation, after deducting the cost of operation, maintenance, depreciation, amortization, and an amount deemed by the Board as necessary to withhold as operating capital, or devoted by the Board to new construction, shall be paid into the Treasury of the United States at the end of each calendar year.

At the end of each calendar year the money the Tennessee Valley Authority has not held back for operating expenses has gone into the Treasury. I say to the Senator from Illinois that if he had the time to examine the hearings, he would find that the subcommittee of the House Appropriations Committee handling the bill for the Tennessee Valley Authority appropriations has gone into all these matters. If the Senator would look through all those hearings, he would find that everything brought out at this time has been brought out time and time again before the subcommittee of the House Committee on Appropriations.

Mr. McKELLAR. There is another thing to be considered in that connection. Of course, it is a worn-out document and one that many persons think does not amount to much; but I shall refer to it. This money, the Senator from Kentucky said a while ago, went into the Treasury as a special fund. Here is what the Constitution says:

No money shall be drawn from the Treasury, but in consequence of Appropriations made by Law; * * *

If we accept the provision agreed to by the House, this money would be drawn out without any appropriation made by law. Mr. Lillenthal could draw it out if, as, and when he pleases.

The Constitution prohibits the drawing of any money from the Treasury except in consequence of appropriations made by law. A moment ago the Senator from Kentucky [Mr. BARKLEY] stated that this money went into the Treasury; and his colleague the Senator from Alabama [Mr. HILL] agreed to the statement that it went into the Treasury. At the present time it goes out of the Treasury without any appropriation.

Mr. HILL. Oh, yes; there is an appropriation.

Mr. McKELLAR. Oh, no; there is no appropriation for it.

Mr. HILL. Certainly there is.

Mr. McKELLAR. How can they get it out?

Mr. HILL. Congress appropriates it, and, after it is appropriated, the Treasury, by an order countersigned by the Comptroller General of the United States, turns the money over to the special Tennessee Valley Authority fund.

Mr. McKELLAR. The money comes from the Treasury—

Mr. HILL. By appropriation of Congress.

Mr. McKELLAR. No; not by appropriation of Congress.

Mr. HILL. Yes; certainly.

Mr. McKELLAR. Congress is not asked to appropriate it. The Constitution provides that no money shall be drawn from

the Treasury except in consequence of appropriations made by law.

Mr. HILL. Certainly.

Mr. McKELLAR. Now they want to draw out the money without any appropriation.

Mr. HILL. No; let me say to the Senator; that is exactly why we have this item in the appropriation bill.

Mr. McKELLAR. Yes; and that is why I want it stricken out.

Mr. HILL. There is no difference between this provision and what has been provided through the years. An appropriation is made, as one is proposed to be made in this instance; and then ordinarily the agency uses the unexpended balances, if the money has not been appropriated for a particular fiscal year.

If we appropriate money for the construction of a dam, we limit during the fiscal year the money that is available to them; but every dollar that is appropriated by the Congress comes out of the Treasury of the United States. No one has any authority to take money out of the Treasury except the Congress of the United States.

Mr. McKELLAR. Let me say to the Senator that we do not want to fool ourselves.

Mr. HILL. No; we do not want to fool ourselves; but I am afraid the Senator from Tennessee is fooling himself.

Mr. McKELLAR. I ask the Senator to wait a moment. The Tennessee Valley Authority will collect \$30,000,000 next year. If the bill, when passed, does not contain the House provision, that \$30,000,000 will have to go into the Treasury, and we shall have to appropriate money for the T. V. A. If the bill is passed with the House provision in it, the money will go into the T. V. A. fund in the Treasury, but the T. V. A. can take it out whenever it wants to do so.

Mr. BARKLEY. Mr. President, will the Senator yield there?

Mr. McKELLAR. I yield.

Mr. BARKLEY. The provision for the disposition of Tennessee Valley Authority funds is the same as the one which has been included in the acts passed from year to year. There is no difference between this provision and the ones contained in the acts passed for the last 8 or 9 years. During the last 8 or 9 years, when the Congress has dealt with the Tennessee Valley Authority in this same manner, the constitutional provision read by the Senator from Tennessee has been in effect, just as it is now, but it has not been invoked until now.

Mr. HILL. Will the Senator state that again, please?

Mr. BARKLEY. I state that all during the years when Congress has been dealing with the revenues of the Tennessee Valley Authority just as they are dealt with in this bill, as passed by the House, the constitutional provision referred to by the Senator from Tennessee has been in full force and effect, just as it is now, but no one has invoked it until now, notwithstanding the fact that the appropriations dealing with the Tennessee Valley Authority funds have gone on from year to year. The result is that—just as provided in the law of 1933—from their revenues they may deduct their operating

expenses and then turn the balance into the Treasury, where, in turn it is allocated to the special Tennessee Valley Authority fund.

Mr. McKELLAR. If the Senator from Kentucky has convinced himself on that subject, we shall go to another one.

I desire to read an editorial from the Knoxville Journal—and if ever there was a paper that has uniformly and at all times opposed me, that is the paper; it has opposed me in both the primary and general elections in my State.

Mr. LUCAS. Mr. President, will the Senator yield for a question before he proceeds to another subject?

Mr. McKELLAR. Yes; I yield.

Mr. LUCAS. I want to make my position clear regarding the point I raised a moment ago. What I cannot understand is how the Congress of the United States, how the Appropriations Committee, for all these years has passed by this very important matter which now seems to be before the Senate of the United States?

Mr. McKELLAR. When the Senator says "all these years" he is mistaken. I will be able to state the length of time in a moment; I have requested the secretary of the committee to supply that information. It is the last year or two.

Mr. LUCAS. The Senator from Alabama [Mr. HILL] read the law a moment ago.

Mr. McKELLAR. That measure went through just as other bills frequently pass the Senate. As the Senator knows, measures sometimes pass the Senate without Senators paying much attention to them.

Mr. LUCAS. But this seems to be probably one of the most serious matters we have encountered in a long time. We have taken all today on it, and will take Monday on it and perhaps Tuesday.

Mr. McKELLAR. I think we have done some good today, and, if the Senator will wait, I will give him information from Mr. Lillenthal as to what effect it is going to have.

Mr. LUCAS. The only conclusion I want to draw is that, in view of the fact that during these years, if the Senator from Alabama is correct in reading the law, we are operating today under the same law as in 1933, when the act was passed.

Mr. McKELLAR. The Senator from Alabama is entirely mistaken about that.

Mr. LUCAS. I do not know upon whom to rely. I have so much faith in both Senators that I am certainly in a quandary to know whom to follow.

Mr. McKELLAR. I will ask the secretary of the committee to get it from the books, and, when the Senator sees it, if the Senator from Alabama is right, the Senator from Illinois can follow him, and, if I am right, he can follow me.

Mr. LUCAS. The only point I want to make in conclusion is—I do not think I care to say anything more on this subject—that it seems to me that, in the greatest crisis we have ever faced in the entire history of this country, the Senate might have postponed this controversy, which seems so serious, for at least another year or two in view of the fact that we have passed it by for about 8 years.

Mr. McKELLAR. Now, Mr. President, I want to call attention to Mr. Lillenthal's views as stated by the Knoxville Journal. We make specific appropriations in this bill, just as asked for by Mr. Lillenthal, for the Kentucky Dam at Gilbertsville, for the Watts Bar Dam and steam plant, for the Fort Loudon Dam—including an extension to bring the waters of the Little Tennessee River within the pool of this project—for the Cherokee Dam, for the Apalachia Dam, for the Ocoee Dam No. 3, for the Fontana Dam, for a dam on the south fork of the Holston River, for a dam on the Watauga River, and for an additional unit at the Sheffield steam plant. We appropriate \$136,000,000 for those projects. I now quote from the Knoxville Journal concerning Mr. Lillenthal's views:

In Sunday newspapers Chairman David Lillenthal, of Tennessee Valley Authority, listed the disasters—

I hope Senators will listen to this, because I am quoting Lillenthal now—

Mr. NORRIS. I am rather surprised that the Senator should quote Lillenthal. Does he want to have contradicted what he has just said?

Mr. McKELLAR. If the Senator does not contradict the statement I am about to read, I shall be surprised. I have heretofore quoted Mr. Lillenthal, and will quote him again, although he denounced me and falsified concerning me.

In Sunday newspapers Chairman David Lillenthal, of Tennessee Valley Authority, listed the disasters which would follow in case Congress should approve Senator KENNETH McKELLAR's amendment—

I have not offered any amendment. The provision is that of the House which the Senate committee has recommended be stricken out—

whereby the Authority would have to obtain specific authorization from that body—

They would have to obtain authorization, not from the Senate alone but from the Congress—

for expenditure of the current revenues from the vast power systems.

The results which would flow from the passage of the McKellar legislation Mr. Lillenthal detailed as follows:

Work on Douglas MacArthur Dam would be stopped.

Is there any Member of the Senate who believes such a statement as that? When we are appropriating for Douglas Dam, do Senators believe that work on it would be stopped if the Senate committee amendment were adopted? No one could so believe.

Aluminum, aircraft, chemical, and explosive materials, dependent for manufacture on Tennessee Valley Authority power, could not be produced.

Is there a Member of the Senate so simple as to believe that would happen?

Aluminum company additions, presumably at Alcoa, would stand idle.

Does anyone in the world believe that statement, when we have appropriated all the money T. V. A. have asked for?

A new black-out would fall over the Tennessee Valley this fall.

How could that happen if the T. V. A. came to Congress and received the money necessary for operating expenses? Every precaution has been taken about that.

Thousands of men would be thrown out of employment at Tennessee Valley Authority dams projects.

We have furnished specific money for each project. How could that happen? How in the world could any man make such a statement as that? If any Senator thinks it could happen, I should like to have him interrupt me and say so. I should like to know if anyone believes such a statement.

Work would be stopped on Watauga and Upper Holston Dams.

Yet there is an appropriation in this bill for those very dams. How could the work on them be stopped?

Work would be stopped on Fontana Dam.

There is a specific appropriation for that dam; so how could work on it be stopped?

Completion of Gilbertsville Dam would be delayed.

How, in the name of heaven, could it be delayed? An appropriation is made for it; more money than they can probably expend this year is appropriated by the pending bill. Thirty-six million dollars more than carried by the House bill is appropriated by the bill as reported by the Senate committee, striking out the House provision. How could the work be stopped? No one is simple enough to believe any statement such as that.

Work would stop on the new steam-electric plant in north Alabama.

That is the plant, by the way, we directed the T. V. A. to build, but we never could get Lillenthal to build it.

War establishments scheduled for location in the Tennessee Valley would have to look elsewhere for facilities.

What a silly statement!

River freight terminals in Knoxville, Chattanooga, and other cities would go unbuilt.

There is a provision in this bill for such facilities.

Purchase of properties and distribution of power in Kentucky would immediately cease.

What, in the name of heaven, has the Tennessee Valley Authority to do with the purchase of properties in Kentucky? There is not a single, solitary provision in the bill which would authorize them to buy property in Kentucky.

Mr. NORRIS. Mr. President, at that point, may I interrupt the Senator? If he had not courted interruption, I should not ask him to yield.

Mr. McKELLAR. Does the Senator believe any of these statements?

Mr. NORRIS. Yes; I do.

Mr. McKELLAR. The Senator has more credulity than I thought was in him.

Mr. NORRIS. I shall not try to debate the matter now in the Senator's time, but I simply wanted to give notice so that my silence would not be misunderstood; that is all.

Mr. McKELLAR. I do not misunderstand the Senator.

Mr. NORRIS. I think that, while all the statements are not probably 100 per-

cent correct, as I understand the situation, some of them are a hundred percent correct. If the committee amendment should prevail, it would very materially injure, if not completely destroy, some phases of the work.

Mr. McKELLAR. If the Senator can "get by" with that, he can "get by" with anything.

The editorial from the Knoxville Journal continues:

This is as comprehensive and extensive a bill of particulars on impending catastrophes as we have seen listed for many a day. The Lillenthal statement is a potent political lever, too, in that the threatened economic results of the enactment of the McKellar measure would be felt in at least three States. Their citizenships, therefore, can be depended upon to support the Authority's opposition to the McKellar amendment. Splendid political manipulator that Chairman Lillenthal is—

This newspaper has been defending him and defending the Authority. It has been against me, regardless of what I am for; but here is what it says:

Splendid political manipulator that Chairman Lillenthal is, he very accurately gaged his statement so as to thoroughly frighten the business elements in every community, which are quick to sense any threat to the pocketbook nerve.

This is not pointed out in criticism of the chairman, who naturally is using whatever weapon is at hand to fend off the McKellar assault on his power.

"Assault on his power." He is asking for power he does not possess under the law, and I am seeking to strike out the provision granting such power. I am not assaulting him; he is assaulting the Congress.

There is one thing, however, of which we are certain and which the citizenship of the whole Tennessee Valley may also be certain; that is, no matter whether Congress passes the McKellar legislation or not, the dire predictions of a shut-down throughout the Tennessee Valley Authority system will not come to pass.

This has been one of the "henchmen" newspapers of Lillenthal heretofore.

If the effects of the McKellar amendment would be as outlined by the chairman, then, if it is passed, the amendment itself will be amended so as to permit the carrying forward of the Tennessee Valley Authority program, every part of which, as suggested by Mr. Lillenthal, is essential to the national war program.

Of course it is. If Lillenthal had had his way when the Senator from Nebraska and I were fighting together for these seven dams, they would not have been built.

We feel no deep-seated concern about the personal fight between Senator McKELLAR and Chairman Lillenthal, though we suspect that Chairman Lillenthal is going to win this first round against the Senator. Which ever wins, the Tennessee Valley citizen may be perfectly confident that the Tennessee Valley Authority program will go on, at least through the war, unimpeded.

The people of Tennessee and the people of this country may be absolutely certain that the program will go on whether the amendment is agreed to or not. If it is agreed to, it will go on. It should go on. The T. V. A. is doing a grand work, or did until this "Uriah Heep" became chairman, and since then the result has been a very unhappy one.

Mr. President, I have not concluded, but I am tired, and I should like to have the Senate take an adjournment now without my losing the floor.

DEDUCTIONS FOR CONTRIBUTIONS TO CHARITY AND FOR GIFTS TO COLLEGES

Mr. DANAHER. Mr. President, Mr. Randolph Paul, tax adviser to the Secretary of the Treasury, suggested before the House Ways and Means Committee that there should be a limitation upon deductions under the Federal estate-tax law for contributions to charity, and for gifts to colleges.

From Mr. Henry A. Ingraham, a trustee of Wesleyan University at Middletown, Conn., and a trustee of other educational institutions, I have received a letter succinctly and pointedly analyzing Mr. Paul's recommendation. I ask unanimous consent that Mr. Ingraham's letter be printed in full as part of my remarks.

There being no objection, the letter was ordered to be printed in the Record, as follows:

NEW YORK, April 30, 1942.

Senator JOHN A. DANAHER,
Washington, D. C.

MY DEAR SENATOR: My attention has been called to the suggestion of the Treasury Department that provision be made in the new tax bill limiting the tax exemption of gifts to colleges and other educational or charitable corporations.

This in my opinion will be a grave mistake. The underlying philosophy from the beginning of this Nation has been that private colleges and charities have more than compensated the State by relieving it of the expenses of conducting such educational and charitable work. In the record of our Nation there has been a justifiable pride in its unparalleled private colleges, hospitals, and other charitable and religious organizations. Recent events have to an alarming extent made inroads upon the support of such institutions. To curtail the tax exemption of gifts might well lead to their dissolution.

The proposed change is not a war measure. No appreciable amount can be collected in the next 3 years. It is not a true revenue measure because the final collections by the Government will be proportionately small. It is not a wise social measure. If abuses have arisen under existing law they can be corrected without an indiscriminate death warrant levied against all private charity. It would be unfair to include such a drastic and revolutionary provision without a public awareness of its consideration. Up to date publicity, whether by design or accident, has been absent.

I urge that no step be taken at this time in the direction proposed. If the proposal has some elements of merit, its importance demands that time be given for careful consideration, and that the public be apprised of its imminence.

Respectfully,

HENRY A. INGRAHAM,
Trustee, Wesleyan University, chairman of the Board of Trustees of Long Island College of Medicine; trustee, Packer Collegiate Institute; trustee, Brooklyn Institute of Arts and Sciences.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEE ON
MILITARY AFFAIRS

Mr. CHANDLER, from the Committee on Military Affairs, submitted the following favorable reports of nominations:

Several officers for appointment under the provisions of law, and sundry officers for appointment, by transfer, all in the Regular Army.

The PRESIDING OFFICER (Mr. MURDOCK in the chair). If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTER NOMINATION REJECTED

The legislative clerk read the nomination of Bernice B. Lyons to be postmaster at Vinton, La.

Mr. McKELLAR. Mr. President, I ask that the nomination be rejected.

The PRESIDING OFFICER. Without objection, the nomination is rejected.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Carlton J. H. Hayes, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Spain.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Cornelius Van H. Engert, of California, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Afghanistan.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Laurence W. Taylor, of California, to be consul.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Maynard B. Barnes, of Iowa, to be consul general.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

That completes the calendar.

Mr. BARKLEY. I ask that the President be notified of all nominations this day confirmed.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

RECESS TO MONDAY

Mr. BARKLEY. As in legislative session I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 20 minutes p. m.) the Senate took a recess until Monday, May 4, 1942, at 12 o'clock noon.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 1 (legislative day of April 30), 1942:

DIPLOMATIC AND FOREIGN SERVICE

Carlton J. H. Hayes to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Spain.

Cornelius Van H. Engert to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Afghanistan.

Laurence W. Taylor to be a consul of the United States of America.

Maynard B. Barnes to be a consul general of the United States of America.

REJECTION

Executive nomination rejected by the Senate May 1 (legislative day of April 30), 1942:

POSTMASTER

Bernice B. Lyons, Vinton, La.

SENATE

MONDAY, MAY 4, 1942

(Legislative day of Thursday, April 30, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, the Very Rev. Zeb Barney T. Phillips, D. D., offered the following prayer:

O God, who art Spirit, whom to worship we must worship in spirit and in truth; God who art Light, with whom we may have fellowship only if we walk in the light as Thou art in the light; God who art Power, upon whom, if we wait, we shall renew our strength, for we shall mount up with wings as eagles, we shall run and not be weary, we shall walk and not faint; God who art Love, whom to know is to be born again in love: We beseech Thee to inspire, to guide, to strengthen, and to love us with the glorious revelation of Thy divinity and the tender, gentle leadings of humanity in the Christ of Bethlehem, that, in reflecting Thine own image, we may grow into Thy perfect likeness. With the best gifts of Thy grace, which we covet now more earnestly, grant that what we do here may be done to Thy honour and glory.

Do Thou bring to our beloved friend and colleague the consolations of Thy love, and may the tenderness of our human sympathy, borne to him on the mystic wings of human understanding, minister to his comfort at this time of utmost need.

And now, dear Lord, forgive our sins, our negligences and our ignorances, and make us this day worthier Thee, for Jesus Christ's sake. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, May 1, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF A BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, who also announced that on May 2, 1942, the President had approved and signed the act (S. 1765) for the relief of the minor children of Mrs. Jesus Zamora Felix, deceased.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the Speaker had affixed his signature to the following en-

rolled bills, and they were signed by the Vice President:

S. 2315. An act for the relief of dealers in certain articles or commodities rationed under authority of the United States;

H. R. 809. An act for the relief of the legal guardian of Vernon Clemons, Jr.; and

H. R. 5596. An act for the relief of Tommy Huddleston.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Norris
Andrews	Gillette	Nye
Austin	Glass	O'Daniel
Bailey	Green	Overton
Ball	Guffey	Pepper
Bankhead	Gurney	Radcliffe
Barkley	Hayden	Reed
Bilbo	Herring	Reynolds
Bone	Hill	Russell
Brewster	Holman	Schwartz
Brown	Hughes	Shipstead
Bulow	Johnson, Calif.	Smathers
Bunker	Johnson, Colo.	Smith
Burton	Kilgore	Spencer
Butler	La Follette	Stewart
Byrd	Lee	Taft
Capper	Lucas	Thomas, Idaho
Chavez	McCarran	Thomas, Okla.
Clark, Idaho	McFarland	Tunnell
Clark, Mo.	McKellar	Tydings
Danaher	McNary	Vandenberg
Davis	Maloney	Van Nuys
Downey	Maybank	Wallgren
Doxey	Mead	Wheeler
Ellender	Millikin	Willis
George	Murdock	

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] is absent from the Senate because of illness.

The Senator from Utah [Mr. THOMAS] is absent because of a death in his family.

The Senator from Arkansas [Mrs. CARAWAY], the Senator from Kentucky [Mr. CHANDLER], the Senator from Texas [Mr. CONNALLY], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from West Virginia [Mr. ROSIER], the Senator from Missouri [Mr. TRUMAN], the Senator from New York [Mr. WAGNER], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. AUSTIN. The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Illinois [Mr. BROOKS], the Senator from North Dakota [Mr. LANGER], and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent on account of illness in his family.

The VICE PRESIDENT. Seventy-seven Senators have answered to their names. A quorum is present.

SPECIAL COMMITTEE TO INVESTIGATE
SENATORIAL CAMPAIGN EXPENDITURES

The VICE PRESIDENT. The Chair appoints the Senator from Arizona [Mr. MCFARLAND], the Senator from New York [Mr. MEAD], the Senator from Florida [Mr. ANDREWS], the Senator from Indiana [Mr. WILLIS], and the Senator from Vermont [Mr. AIKEN] as the members of the Special Committee to Investigate